

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT,  
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

PROBATE DIVISION

IN RE: GUARDIANSHIP OF \_\_\_\_\_  
ward.

Case no.: \_\_\_\_\_

Section: \_\_\_\_\_

**CC-106**

**Checklist and Certification – Sale of Real Property – Guardianship**

I, \_\_\_\_\_, as the attorney of record, have reviewed the applicable checklist(s) on the 11<sup>th</sup> Judicial Circuit Court’s website, and filed the following pleadings to the Clerk of Court’s docket, for which I have written the docket entry number next to each of the corresponding requirements below:

**Petition for Sale of Real Property:**

- \_\_\_\_\_  Petition in accordance with Fla. Stat. §744.447; Fla. Prob. R. 5.630.
- \_\_\_\_\_  Petition states: the sale is an “arm’s length transaction” and is for “fair market value”.
- \_\_\_\_\_  Petition contains the street address and legal description for the subject real property.
- \_\_\_\_\_  Petition states how the sale of the real property is in the best interests of the Ward.
- \_\_\_\_\_  Petition has been joined by all of the Ward’s guardians of the property.
- \_\_\_\_\_  Waiver and Consent (or proof of notice) to petition by all interested parties – Fla. Prob. R. 5.630(b)
- \_\_\_\_\_  Joinder to the Petition executed by the ward’s spouse - Fla. Stat. §744.457(1)     Ward does not have a spouse.

**Supporting Documents:**

- \_\_\_\_\_  Copy of the proposed sale contract AND
- \_\_\_\_\_  Copy of a Comparative Market Analysis or signed broker’s letter with comparable sales OR
- \_\_\_\_\_  Copy of appraisal (only required when property is valued more than \$600,000)

**Required Filings:**

- \_\_\_\_\_  Order Appointing Guardian and Letters of Guardianship have been previously entered.
- \_\_\_\_\_  Inventory – Fla. Stat. §744.365, Fla. Prob. R. 5.620
- \_\_\_\_\_  Notice of Completion of Guardianship Education Requirements – Fla. Stat. §744.3145; Fla. Prob. R. 5.625
- \_\_\_\_\_  Order Designating Restricted Depository
- \_\_\_\_\_  The guardian is up to date with all annual reporting requirements. (List the most current annual reports)
- \_\_\_\_\_  There are no pending or unresolved 10-day Memorandum’s from the Clerk of Court’s Auditor.

**Proposed Order submitted to courtMAP:**

- Proposed Order Authorizing Sale of Real Property in accordance with Fla. Prob. R. 5.630(c)
- Proposed Order includes street and legal description of subject real property, terms of sale, and directs deposit of Ward’s share of sale proceeds to the restricted depository for the Guardianship.

**I HEREBY CERTIFY** that I have complied with the above checklist and filed the required pleadings and supporting documentation on the date indicated above in accordance with applicable Florida Statutes, Florida Probate Rules, local rules, administrative orders, and administrative memoranda. I understand that submission of this checklist is considered an official statement subject to Fla. Stat. §837.06.

Dated: \_\_\_\_\_

\_\_\_\_\_  
 Attorney's Signature  
 Printed Name: \_\_\_\_\_  
 Bar Number: \_\_\_\_\_  
 Email Address(es): \_\_\_\_\_