

FL Probate Buyer

Property Inheritance Checklist Guide

A practical guide for personal representatives, heirs, and out-of-state property owners managing inherited real estate in Florida.

Covers four critical areas:

1. Inheriting a Property — First steps after receiving an inheritance
2. Vacant Property Management — Protecting an unoccupied home
3. Property with Tenants — Managing existing rental situations
4. Hurricane Season Preparation — Storm readiness for Florida properties

(561) 556-7939 | info@flprobatebuyer.com | www.flprobatebuyer.com

1650 S Dixie Hwy, Suite 502, Boca Raton, FL 33432

Section 1

Inheriting a Property

Inheriting real estate in Florida — especially during probate — comes with legal, financial, and practical responsibilities that most families are not prepared for. This checklist covers the essential first steps.

Immediate Legal & Administrative Steps

- Determine if probate is required** — Most Florida real estate must go through probate before it can be sold or transferred. Consult a probate attorney.
- Identify the personal representative (executor)** — This person has legal authority to manage the estate and make property decisions.
- Obtain Letters of Administration** — Issued by the court, these documents authorize the personal representative to act on behalf of the estate.
- Order certified copies of the death certificate** — You will need multiple copies for insurance, banks, title companies, and the court.
- Locate the will and trust documents** — Check with the decedent's attorney, safe deposit box, and personal files.
- Notify the probate court** — File the will with the county clerk in the county where the decedent resided.
- Identify all heirs and beneficiaries** — Determine who has a legal interest in the property.

Property Assessment

- Visit or arrange an inspection of the property** — Assess the physical condition, identify any immediate safety concerns.
- Document the property's current condition** — Take dated photos and video of every room, the exterior, roof, yard, and any damage.
- Check for outstanding liens or judgments** — Search county records for mortgages, tax liens, HOA liens, or code violations.
- Verify property tax status** — Check if taxes are current. Unpaid taxes can lead to a tax certificate sale.
- Review the existing homeowner's insurance policy** — Determine if coverage is still active. Many policies lapse after the owner's death.
- Identify any existing mortgages** — Contact the lender to understand the loan status, payment obligations, and options.
- Check for HOA or condo association obligations** — Determine if dues are current and review any rules about occupancy or maintenance.

Financial & Tax Considerations

- Get a professional property appraisal** — Establish the fair market value at the date of death for tax purposes (stepped-up basis).

- Understand the stepped-up cost basis** — Inherited property receives a new tax basis equal to its fair market value at the date of death, which can significantly reduce capital gains taxes if sold.
- Consult a CPA or tax advisor** — Discuss estate tax implications, income tax on rental income, and capital gains scenarios.
- Set up an estate bank account** — All property-related income and expenses should flow through the estate account.
- Continue paying essential bills** — Mortgage, insurance, property taxes, utilities, and HOA dues must stay current during probate.

Decision Planning

- Evaluate your options** — Sell, rent, hold, or improve. Each path has different financial, legal, and timeline implications.
- Get a comparative market analysis (CMA)** — Understand what the property is worth in today's market.
- Consider a direct sale** — If the property needs work or you need to close quickly, a direct cash buyer can simplify the process.
- Coordinate with all heirs** — If multiple people inherit the property, everyone needs to agree on the plan. Document decisions in writing.
- Consult your probate attorney before any sale** — Court approval may be required before the property can be sold.

Need help? FL Probate Buyer works with personal representatives and heirs to navigate every step of this process. Call (561) 556-7939 for a free consultation.

Section 2

Vacant Property Management

Vacant properties in Florida face unique risks: humidity damage, mold, pest infestations, vandalism, insurance lapses, and code violations. If you are managing a property from out of state, these items are critical.

Securing the Property

- Change or re-key all locks** — Ensure no unauthorized persons have access.
- Secure all entry points** — Check windows, sliding doors, garage doors, and any secondary entrances.
- Install a lockbox** — If you need contractors or inspectors to access the property, a lockbox provides controlled entry.
- Consider a basic security system or cameras** — Affordable wireless options can be monitored remotely.
- Notify local police** — Many departments offer a vacant property watch program.
- Post 'No Trespassing' signage** — This provides legal protection and deters unauthorized entry.
- Board up broken windows or damaged entry points** — Prevent weather and pest intrusion.

Preventing Damage & Deterioration

- Keep the AC running at 78–80°F** — This controls humidity and prevents mold growth, which is critical in Florida.
- Run water through all faucets and flush toilets monthly** — Prevents P-trap evaporation (sewer gas) and keeps plumbing functional.
- Check for and address any water leaks** — Even small leaks can cause major mold and structural damage in Florida's humidity.
- Inspect for mold regularly** — Check bathrooms, under sinks, around windows, and in closets.
- Schedule pest control treatments** — Vacant homes attract rodents, termites, and roaches quickly.
- Maintain the lawn and landscaping** — Overgrown yards attract code violations, pests, and signal vacancy to potential trespassers.
- Clean gutters and downspouts** — Ensure proper water drainage away from the foundation.
- Check the roof for damage** — Missing shingles or damaged flashing can lead to water intrusion.

Insurance & Liability

- Verify insurance coverage** — Standard homeowner's policies may not cover vacant properties. You may need a vacant-dwelling policy.
- Check for liability coverage** — If someone is injured on the property, you could be personally liable.
- Confirm flood insurance** — If the property is in a flood zone, standard policies do not cover flood damage.

- Maintain documentation** — Keep records of all inspections, maintenance, and communications for insurance and legal purposes.

Regular Monitoring Schedule

- Schedule property check-ins at least every 2 weeks** — More frequently during hurricane season (June–November).
- Take dated photos at each visit** — Document the property's condition for your records and insurance.
- Check mail and remove any accumulation** — Piled-up mail signals vacancy.
- Verify utilities are functioning** — Electric, water, and AC should remain on.
- Coordinate with a local property management partner** — If you cannot visit regularly, hire someone to be your eyes and ears on the ground.

Managing a vacant property from out of state? We provide regular check-ins, preservation services, and emergency response. Call (561) 556-7939.

Section 3

Property with Existing Tenants

If the inherited property has tenants, you have both rights and obligations as the new landlord. Florida landlord-tenant law applies regardless of how you acquired the property. Handle this carefully to protect yourself legally and financially.

Immediate Steps

- Determine if a lease exists** — Locate any written lease agreements. If there is no written lease, the tenancy is likely month-to-month.
- Review the lease terms** — Understand the rent amount, payment due date, lease expiration, security deposit, and any special provisions.
- Notify tenants of the ownership change** — Provide written notice with your name, contact information, and where to send rent payments.
- Establish a new rent collection method** — Set up a bank account or payment system for receiving rent.
- Locate and account for security deposits** — Florida law requires security deposits to be held in a separate account. You inherit this obligation.
- Review Florida landlord-tenant law (Chapter 83, Florida Statutes)** — Understand your legal obligations regarding notice periods, repairs, and eviction procedures.

Assessing the Situation

- Inspect the property (with proper notice)** — Florida requires at least 12 hours' notice before entering a tenant-occupied unit, except in emergencies.
- Document the property's condition** — Take photos and notes of any damage, deferred maintenance, or lease violations.
- Verify the tenant is current on rent** — Check payment history and determine if there are any outstanding balances.
- Check for unauthorized occupants or pets** — Compare who is living in the property to what the lease allows.
- Review utility responsibilities** — Determine which utilities the tenant pays and which are the landlord's responsibility.

Deciding What to Do

- Option A: Keep the tenant and collect rent** — If the tenant is reliable and the rent is fair, this provides income while you decide on a long-term plan.
- Option B: Sell the property with the tenant in place** — Some buyers (especially investors) will purchase tenant-occupied properties.
- Option C: End the tenancy and sell vacant** — If the lease is month-to-month, you can provide 15 days' written notice before the end of any monthly period. If there is a fixed-term lease, you generally must wait until it expires.

- Option D: Hire a property manager** — If you want to keep renting but don't want to manage it yourself, a property manager handles day-to-day operations.
- Consult your probate attorney** — The personal representative may need court approval before making major decisions about the property.

Legal Protections

- Never change locks or shut off utilities to force a tenant out** — This is illegal in Florida (self-help eviction).
- Follow proper eviction procedures if needed** — Florida requires a written notice (3-day, 7-day, or 15-day depending on the reason) before filing an eviction lawsuit.
- Keep all communications in writing** — Document everything for your protection.
- Maintain the property** — Florida law requires landlords to maintain the property in a habitable condition, including structural integrity, plumbing, heating, and pest control.
- Handle security deposit properly upon move-out** — Florida law gives you 15 days to return the deposit or 30 days to notify the tenant of any deductions.

Inherited a property with tenants? We can help you evaluate your options and manage the transition. Call (561) 556-7939.

Section 4

Hurricane Season Preparation

Florida's hurricane season runs from **June 1 through November 30**. Vacant and probate properties are especially vulnerable because there is no one on-site to respond quickly. A single storm can cause tens of thousands of dollars in damage — water intrusion, roof damage, fallen trees, flooding, and mold that sets in within 24 to 48 hours.

Before Hurricane Season (May)

- Review insurance coverage** — Confirm the policy is active and covers wind, flood, and vacant-property risks.
- Obtain a vacant-dwelling or estate policy** — Standard homeowner's policies often lapse after the owner passes away.
- Verify flood insurance** — If the property is in a flood zone, confirm coverage is in place. There is typically a 30-day waiting period for new policies.
- Document the property's current condition** — Take dated photos and video of the interior and exterior for insurance claims.
- Trim trees and remove dead branches** — Overhanging limbs become projectiles in high winds.
- Clear gutters and downspouts** — Ensure proper drainage to prevent water intrusion.
- Inspect the roof** — Look for loose or missing shingles, cracked tiles, or damaged flashing.
- Test and service hurricane shutters** — If the property has shutters, confirm they work. If not, purchase plywood cut to fit each window.
- Secure or remove loose outdoor items** — Patio furniture, potted plants, grills, and decorations can become dangerous.
- Check garage doors** — Garage doors are a common failure point. Reinforce if necessary.
- Identify the main water shut-off valve** — Know where it is so it can be turned off before a storm.
- Store important property documents** — Keep copies in a waterproof container or digitally off-site.

When a Storm Is Approaching (48–72 Hours)

- Install hurricane shutters or plywood** — Cover all windows and glass doors.
- Turn off the main water supply** — Prevent pipe damage and flooding from broken lines.
- Set the thermostat to 80°F** — Controls humidity and reduces mold risk if power is lost temporarily.
- Unplug electronics and appliances** — Protect against power surges.
- Move valuables away from windows** — Relocate to interior rooms or upper floors if flooding is a concern.
- Secure all entry points** — Lock all doors, windows, and garage doors.
- Turn off propane or gas at the tank** — If applicable.

- Take final pre-storm photos** — Document the property's condition for insurance purposes.
- Notify neighbors or HOA** — Let them know the property will be vacant during the storm.

After the Storm (Within 24–48 Hours)

- Do NOT enter the property until authorities confirm it is safe.
- Inspect the exterior first** — Look for roof damage, broken windows, downed trees, standing water, and structural damage.
- Document all damage immediately** — Take photos and video before making any repairs. Essential for insurance claims.
- Contact your insurance company** — File a claim as soon as possible.
- Address water intrusion immediately** — Mold can begin growing within 24–48 hours in Florida's humidity.
- Arrange for emergency tarping** — If the roof is damaged, prevent further water intrusion.
- Check for gas leaks** — If you smell gas, leave immediately and call the utility company.
- Do not turn on electrical systems** — If there is standing water or visible damage to wiring.
- Remove wet materials** — Carpet, drywall, and insulation must come out to prevent mold.
- Hire licensed contractors for repairs** — Avoid storm chasers and unlicensed workers.

Ongoing Monitoring (June–November)

- Schedule property check-ins every 2 weeks minimum** — More frequently during active storm periods.
- Monitor weather alerts** — Track the National Hurricane Center ([nhc.noaa.gov](https://www.nhc.noaa.gov)) for the property's zip code.
- Maintain communication with a local contact** — Someone who can respond quickly if a storm approaches.
- Keep the yard maintained** — Overgrown vegetation increases storm damage risk.
- Verify insurance remains active** — Policies can lapse mid-season if payments are missed during probate.

Emergency Contacts & Resources

Keep this page accessible. Fill in your personal contacts below.

| Contact | Number / Info |
|----------------------------------|-------------------------|
| FL Probate Buyer (Property Help) | (561) 556-7939 |
| FL Probate Buyer Email | info@flprobatebuyer.com |
| National Hurricane Center | nhc.noaa.gov |
| FEMA Disaster Assistance | 1-800-621-3362 |
| FL Division of Emergency Mgmt | 850-815-4000 |
| FPL (Power Outages) | 1-800-468-8243 |
| Your Insurance Company | _____ |
| Your Probate Attorney | _____ |
| Your CPA / Tax Advisor | _____ |
| Local Police (Non-Emergency) | _____ |
| Property Manager | _____ |
| Trusted Neighbor / Local Contact | _____ |

Need Help With an Inherited Property?

We work with personal representatives, heirs, and out-of-state property owners to manage, protect, and resolve real estate situations with clarity and care. Whether you need property oversight, preservation, management, or a direct cash offer — we are here to help.

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