

Insure Your Probate Transactions with California Title Company

Losing a loved one is a sad and difficult time for family, relatives and friends. In addition, family members left behind must figure out how to transfer property in a sale transaction or to transfer title to an heir in an inheritance transfer. In either instance a Probate must be established in most cases.

First: What Is Probate?

When a person dies, his or her estate must go through a probate, which is a process overseen by a probate court. Probate means that there is a court case that deals with:

- A. Deciding if a will exists and is valid
- B. Figuring out who are the decedent's heirs or beneficiaries
- C. Figuring out how much the decedent's property is worth
- D. Taking care of the decedent's financial responsibilities; and
- E. Transferring the decedent's property to their heir or beneficiaries or
- F. Transferring the decedent's property in a sale for the heirs and beneficiaries.

Transferring the decedent's property in a sale for the heirs or beneficiaries is where California Title Company plays a significant role.

What Is California Title Company's Role In These Transactions?

We insure the title in a sale from the Probate Estate. The following are the types of probate transactions California Title Company insures:

1. Court Ordered Probate Sales (known as Formal Probates and Supervised Probates)
2. Independent, Administration of Estates Acts probate sales (known as unsupervised probates)
3. Trust Sales and
4. Small Estate Probate Sales

All of these transactions require an overview of court and trust documents to make certain the Administrator of the Estate or Trustee of the trust has the authority to act in the transaction. Also, throughout the course of the transaction, it is our role to make certain any objections are adhered to and that any appeal periods have not been violated.

Once we are able to clear all pertaining appeal periods or consent periods and confirm that any and all liens against the decedent or the estate will be paid through the escrow process, we can then finalize and insure a transfer of title onto a bonafide purchaser.

If you are involved in a probate sale, reach out to your California Title Company Representative for guidance.

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Protecting Your Property Rights

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