

# YOUR GUIDE TO PROBATE PROPERTIES

IN DC, MARYLAND, & VIRGINIA:  
UNLOCKING HIDDEN OPPORTUNITIES



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# INTRODUCTION:

## WHAT ARE PROBATE PROPERTIES?

When someone passes away, their assets – including real estate – often go through a legal process called probate. Think of probate as the court-supervised way to validate a will (if one exists), settle debts, and legally transfer assets to the rightful heirs. A probate property is simply a home that is being sold as part of this process.

While the circumstances behind these sales are often somber, probate properties can represent a unique niche in the real estate market.



## CHAPTER 1


# WHY CONSIDER PROBATE PROPERTIES?

### For Buyers:

- **Potential for Value:** Probate properties are often sold "as-is," meaning the estate usually isn't making repairs. This can sometimes translate to a more competitive price point, offering a chance to gain equity through renovation or simply acquire a property below market value if you're prepared for the work.
- **Less Competition:** Because of the unique process and "as-is" nature, these homes might attract fewer buyers than traditional listings, potentially reducing bidding wars.
- **Unique Inventory:** You might find properties in established neighborhoods that rarely see new listings.

### For Sellers (Inherited Property):

- **Legal Compliance:** If you've inherited a property, understanding probate is crucial. The court ensures a legal and transparent transfer of ownership, protecting all parties.
- **Clear Title:** The probate process helps clear any potential claims or debts against the property, leading to a clean title for the buyer once the process is complete.
- **Court Oversight:** For properties requiring court approval for sale, this oversight ensures the sale is conducted fairly and in the best interest of the estate and heirs.



## CHAPTER 2

# HOW TO FIND PROBATE PROPERTIES IN DC, MD, & VA

Unlike traditional listings, probate properties often aren't widely advertised on popular real estate websites initially. The key is accessing public court records.

### A. District of Columbia (DC):

- **DC Superior Court, Probate Division:** This is your primary resource.
  - You can often access public docket information for decedent's estates online through the DC Courts website. Look for "Remote Public Access" or "Case Search."
  - For more detailed information, you can visit the Probate Division's file room at 515 5th Street, NW, Room 314, Washington, DC 20001, to inspect records in person.
- **Recorder of Deeds:** While not probate records themselves, monitoring recent property transfers can sometimes reveal properties that have just completed the probate process.

### B. Maryland:

- **Register of Wills (by County):** Each Maryland county has a Register of Wills office that handles probate. This is where estate cases are filed.

- Many **County Register of Wills** websites offer online search tools for estate cases.
- Utilize Maryland Judiciary Case Search ("Case Search") at [mdcourts.gov/casesearch](http://mdcourts.gov/casesearch). You can often search for estate cases here. For detailed documents, you might need to visit the specific county's office.
- Maryland Land Records ([mdlandrec.net](http://mdlandrec.net)): You can access recorded deeds and property information, which might indicate ownership changes related to estates.

### C. Virginia:

- **Circuit Court Clerk's Office (by County/City):** In Virginia, probate is handled by the Circuit Court. You'll need to contact the Clerk's office in the county or city where the deceased resided or owned real estate.
  - Many **Circuit Court Clerk's websites** provide online access to court records (case search portals). Look for "probate," "estates," or "fiduciary" records.
  - You may need to visit the Clerk's office in person for full details or specific document retrieval.

- **Commissioner of Accounts:** These individuals are appointed by the Circuit Court to oversee estate administration. While you won't search here directly, knowing their role helps understand the process.

### **What to Look For:**

When sifting through records, look for the **decedent's name**, **case number**, the **Personal Representative/Executor** (the person managing the estate), and an **Inventory of Assets** (which lists real property). Sometimes, there will be a "Petition to Sell Real Property" if court approval is needed for the sale.





## CHAPTER 3

# NAVIGATING THE PROCESS: WHAT TO EXPECT

### For Buyers:

- "As-Is" Sales: Expect properties to be sold in their current condition, with little to no repairs made by the estate. Budget for renovations and consider a thorough home inspection.
- Court Approval & Timelines: Many probate sales, especially if the will is absent or contested, require court approval. This can extend the closing timeline from weeks to several months, or even longer. Patience is key!
- Financing: While not impossible, securing traditional mortgages can sometimes be trickier due to "as-is" conditions or extended timelines. Cash offers are often very attractive to estates.
- Overbidding (sometimes): In some jurisdictions, an initial offer might be subject to court confirmation, allowing other bidders to "overbid" at a court hearing.

### For Sellers (Inherited Property):

- Probate is Necessary: If the property was solely owned by the deceased and not in a trust or joint ownership with rights of survivorship, it generally must go through probate to legally transfer ownership.

- **Legal Guidance:** You (as the Personal Representative or heir) will need to work closely with an estate attorney to navigate the legal requirements, pay debts, and ensure proper transfer.
- **Timeline:** The probate process itself can take many months, and the property usually cannot be listed for sale until the Personal Representative is officially appointed and, sometimes, until certain court approvals are in place.
- **Taxes:** Be aware of potential estate taxes, capital gains taxes, and property taxes during the process. Consult with a tax advisor.





## CHAPTER 4

# IS A PROBATE PROPERTY RIGHT FOR YOU?

Probate properties aren't for every buyer or every seller.

- **For Buyers:** They suit those who are patient, understand the "as-is" nature, are comfortable with potential renovations, and value the opportunity for a unique find.
- **For Sellers:** If you've inherited property, understanding probate is essential for a smooth and legally sound sale, protecting your interests and those of the estate.



## CHAPTER 5

# YOUR LOCAL EXPERT: WHY WORK WITH ME

The world of probate real estate can feel complex and overwhelming. This is where an experienced local realtor, like me, becomes invaluable.

- **Market Knowledge:** I understand the unique market dynamics of DC, Maryland, and Virginia, including how probate sales fit in.
- **Access & Navigation:** I can help you understand how to access public records, identify probate properties, and guide you through the initial research steps.
- **Strategic Offers:** For buyers, I can help you craft competitive offers that consider the "as-is" nature and potential court approval processes. For sellers, I can help position your inherited property for the best outcome within the probate framework.
- **Professional Network:** I have established relationships with local probate attorneys, estate liquidators, and contractors who can provide specialized advice and services crucial to these transactions.
- **Guidance & Support:** Whether you're a buyer looking for a unique opportunity or an heir needing to sell an inherited property, I'll be your advocate, helping you understand each step and ensuring a smoother process.

# LETS CONNECT!

Are you curious about the probate property market in DC, Maryland, or Virginia?

- As a Buyer: Do you want to explore these hidden opportunities or need help navigating the court records?
- As a Seller: Have you inherited a property and need guidance on the best way to sell it through or after probate?

Don't go it alone! Contact me today for a no-obligation consultation.



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Let's make sure your real estate journey, whether buying or selling a probate property, is as smooth and successful as possible.

# IMPORTANT NOTE & SOURCES

**Disclaimer:** This ebook provides general information about probate properties and is not intended as legal or financial advice. The probate process can be complex and varies by jurisdiction. It is crucial to consult with a qualified probate attorney and tax advisor for advice specific to your situation.

## Sources & Further Information:

- **DC Superior Court, Probate Division:**  
<https://www.dccourts.gov/superior-court/probate-division>
- **Maryland Courts - Register of Wills & Estate Search:**  
<https://www.mdcourts.gov/legalhelp/willsestates> and  
<https://www.mdcourts.gov/casesearch2/estatesearchglossary>
- **Virginia Judicial System - Probate in Virginia:**  
<https://selfhelp.vacourts.gov/node/20/probate-virginia>
- **Rocket Mortgage - What is a probate sale in real estate?:**<https://www.rocketmortgage.com/learn/probate-sale>
- **Clever Real Estate - Complete Guide to Selling an Inherited Home:**<https://listwithclever.com/real-estate-blog/sale-of-inherited-home/>