

WHY NOT TO USE THE LOCAL BROKER TO SELL YOUR REAL ESTATE

Experience Matters when you are selling a property as a trustee

Fiduciary sellers may be held responsible for the acts of the agents they employ. Fiduciary Real Estate Services (**FRES**) provides the fiduciary seller with an additional layer of protection. **FRES** pays fastidious attention to legal compliance.

- **FRES** understands when publication is required for the sale;
- **FRES** understands when court confirmation is a requirement or merely a possibility;
- **FRES** understands when the seller needs to accept offers at 90% of appraised value;
- **FRES** understands what an exempt seller needs to disclose;
- **FRES** has developed language in their contracts:
 - which allows a Fiduciary to avail themselves of the Notice of Proposed Action procedure;
 - which allows the seller to cancel the contract, without liability to the buyer if a beneficiary objects to the sale;
 - which requests buyers sign a California Civil Code §1542 waiver at time of entering into the contract.

FRES will never recommend our seller accept a lowball offer. They insist on aggressively marketing the property so that its true value is revealed. Buyers' agents and their clients perceive a "fire sale" when a property is sold due to the death or incapacity of the original homeowner. **FRES** actively negotiates with the buyers' agents to ensure the property is sold in a timely manner and for the highest and best price.

The local broker does not have the experience of the hundreds of sales of Trust & Estate properties. Entering into escrow for the wrong amount with the wrong buyer or incorrect disclosures can wreak havoc. Everyone knows a real estate agent, and the family may wish to select the agent. If the agent has a connection to the family, that agent oftentimes does not recognize their fiduciary duty (including the duty of confidentiality) is to you the trustee and not to the family.

A Fiduciary deserves the protection of experienced professionals. Unlike selling your personal residence, these sales can involve a complex set of legal issues. There is only one way to conduct a real estate sale as a Fiduciary, and that is by ensuring strict compliance with the terms of the document appointing you.

FRES strives to provide value-add services so that our clients can hand them the keys and wait for the offers. **FRES** provides vendor bids for lock changes, packing, cleaning, repairs, staging and other forms of maintenance to ready the property for sale.

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*As licensed professional fiduciaries we see real estate as being the predominant asset in many of Orange County client's trusts and estates. As fiduciaries we are only as good as the professionals we hire and **FRES** is one of those local family run companies that take pride in looking at the details of every sale to our client's benefit.*