

**IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT,
IN AND FOR PALM BEACH COUNTY, FLORIDA
PROBATE DIVISION**

CHECKLIST FOR PETITION TO SELL REAL PROPERTY

This checklist shall be completed and e-filed with your Petition. **Please review and sign the applicable certification clause at the end of the checklist prior to submitting it with your Petition and Proposed Order(s). If any of the items below are not checked, please complete “Certification B.”** Completing and e-filing this Checklist does not remove any additional obligations imposed by rule or statute.

CASE NUMBER: _____ in Re Estate of: _____

Legal standard for Sale of Real Property: Personal Representative (Florida Statute 733.613(1) and Rule 5.370) and Guardianship (Florida Statute 744.361(6))	
	Contract price included in petition and order
	Statement that the contract price is the fair market price for the real property in Petition and Order
	Statement that the sale is an arm’s length transaction in Petition and Order
	Includes the legal description and the street address of the property in the Petition and Order
	Includes the scheduled closing date (or a statement that the closing date is unknown)
	Statement that the sale applies only to the specific sale that is the subject of the petition in Petition and Order
	Creditor’s period has not expired and the proposed Order contains the statement that “the proceeds of the sale shall be held in the attorney’s trust account or restricted depository until further Order of this Court.”
	Copy of proposed Contract of Sale included and not redacted (Rule 5.370(a) and 2.425)
	Petition is accompanied by an appraisal unless all beneficiaries have consented to the sale
	Outstanding creditors, if any, have been noticed
	Consent of heirs
	Formal notice to all beneficiaries who have not consented to sale.

Please complete the Certification that applies to your filing (either Certification A or Certification B). If the Petitioner is represented by counsel, only counsel must complete the applicable Certification Clause. If the Petitioners is pro se then the applicable Certification must be completed by the Petitioner.

CERTIFICATION A:

The undersigned Petitioner (print name) _____ /Attorney (print name) _____ certifies that he/she has reviewed the information necessary to support the Petition to Sell Real Property (Estate and Guardianship). The Petitioner /Attorney further certifies that all the required information was previously filed or filed

concurrently with the Petition. The Petitioner /Attorney acknowledges that the Petition will not be reviewed by Court staff until the necessary information has been accepted into the OLS and/or e-filing system. The Petitioner /Attorney further acknowledges that a hearing may be required to process the Petition.

Petitioner's signature: _____

Signed on _____, 20____

OR

Attorney's signature: _____

Signed on _____, 20____

CERTIFICATION B:

The undersigned Petitioner (print name) _____ /Attorney (print name) _____ certifies that he/she has reviewed the information necessary to support the Petition to Sell Real Property (Estate and Guardianship). The Petitioner /Attorney certifies that, after a diligent search and reasonable effort, the Petitioner /Attorney was unable to submit the following information for the following reasons:

The Petitioner /Attorney acknowledges that a hearing may be required concerning the deficiency.

Petitioner's signature: _____

Signed on _____, 20____

OR

Attorney's signature: _____

Signed on _____, 20____