



PROBATE GUARDIANS TN

Compassion · Clarity · Closings

The Middle Tennessee Executor's Guide to Selling an Inherited Home

A practical, no-nonsense guide for families navigating the sale of a probate property in Tennessee.

Free resource for executors, administrators, and heirs

Davidson · Williamson · Rutherford · Sumner · Wilson · Maury · Montgomery · Dickson · Cheatham

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This guide is educational. It is not legal advice. Probate Guardians TN provides real estate coordination. All property sales are subject to court approval where required. Your probate attorney remains lead on the legal file.

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Introduction

If you are holding this guide, someone you love has died, and a house in Middle Tennessee is now part of your responsibility. That is a heavy combination: grief, family, paperwork, and a vacant property that still needs insurance, a lawn, and decisions.

Most families assume the court is what will slow them down. In our experience, that is rarely the whole story. The court has a process. What usually creates delay and stress is something quieter: heirs who do not have the same information, a listing that started before anyone had authority, or a price rooted in memory instead of the market.

This guide is meant to be useful on a Tuesday night when you are tired. You will find what is actually different about a Tennessee probate sale, the mistakes we see most often, a simple way to keep siblings aligned, and a step-by-step path you can follow with your attorney.

You do not have to solve everything this week. You do need a clear process. That is what we do.

What makes probate sales different in Tennessee

A normal listing assumes the seller can sign tomorrow and close in thirty days. A probate property is not a normal listing. The person who used to own the house is gone. The person who can sell it may live in another state. And the court may need to see the sale before anyone gets a check.

Letters Testamentary and Letters of Administration

Until the court issues **Letters Testamentary** (there is a will) or **Letters of Administration** (there is not), the named executor or administrator generally cannot convey clear title. Title companies and listing agreements care about this more than Zillow does. If someone is asking you to “just list it Monday,” ask whether Letters are in hand — or whether any contract will be expressly subject to court approval.

Nonresident personal representatives can serve in Tennessee, but they typically must appoint the Secretary of State as agent for service of process and may face a bond. That is your attorney’s lane. Our job is not to interpret the will. It is to make sure the house does not become a second full-time job while that work is happening.

Typical timelines

Every county and every estate is different. As a practical range in Middle Tennessee: opening the estate and receiving Letters can take weeks, not days. Creditor notice periods still run. A petition to sell real estate, if required, adds time. A well-prepared listing or as-is sale can then move on a more familiar real-estate clock — but only after authority is clear. Families who skip that sequence often restart later, which feels slower than going in order.

Court oversight

Tennessee courts generally protect heirs and creditors when real estate is sold during administration. How much involvement you see depends on the will, the county, whether anyone objects, and whether the sale is at arm’s length for fair value. Some files need a formal petition. Some do not. Treat “the judge has to approve it” as a possibility, not a rumor — and write contracts so they survive that reality.

Why inherited homes sit longer

The house is often full. Siblings disagree on price. Someone still hopes a cousin will buy it. The PR lives in Florida and cannot walk the crawlspace. Insurance is in question. None of that is “the market is slow.” It is an estate that has not yet chosen a path. Vacant Middle Tennessee homes (Hermitage, Gallatin, Mt. Juliet, Murfreesboro, and similar) also pick up lawn, HOA, and security costs while the family waits. Sitting is expensive even when it feels respectful.

The 5 biggest mistakes families make

1. Listing too early — or waiting too long

Too early: the sign goes up before Letters or sale authority, then title or the court stops the deal. Too late: a vacant house, lapsed insurance, and a year of carrying costs. The middle path is: secure the house now, confirm authority with your attorney, then market with a real number.

2. Poor communication between heirs

One sibling hears “we’re listing.” Another hears “we’re keeping it.” A third sees a cash-offer postcard. Arguments are usually about missing information, not bad people. If everyone does not see the same facts, they will invent their own.

3. Unrealistic pricing based on emotion

What the home “should be worth” is often the last tax appraisal, a neighbor’s sale, or what it would take for everyone to feel the estate was honored. Buyers do not pay for memories. A Net Sheet — list price vs. repairs vs. as-is cash vs. holding costs — gives the family a shared number instead of a shared argument.

4. Ignoring the condition of the property

Deferred maintenance, a full garage, and “Mom’s house still looks like Mom lived there” are not small details. They drive inspections, credits, and which path actually nets more. Walk it (or have someone local walk it) before you pick a strategy.

5. Trying to handle everything without a clear process

The PR becomes project manager, therapist, and unpaid realtor from another time zone. The attorney’s office starts getting lawn questions. A process — who decides, who is informed, what happens this week — is kinder than heroics.

How to keep the family aligned

You will not get every heir to feel the same thing. You can get them looking at the same page. That is enough to reduce most of the drama we see.

Simple communication practices

- Name one point of contact with the attorney and with any real-estate coordinator (usually the PR).
- Put updates in writing. Group texts vanish. A short email does not.
- Separate “how we feel” from “what the numbers say.” Both matter. They are not the same conversation.
- Do not let a local sibling unofficially run the house without the PR’s knowledge. Access should be intentional.

What every heir should be able to see

- That the estate has (or is seeking) authority to sell
- A current photo set of the property
- A valuation range and a Net Sheet: traditional listing vs. as-is / cash vs. hold
- Carrying costs while vacant (insurance, taxes, utilities, lawn, HOA)
- The recommended next step and who is doing it

Recommended cadence

Weekly while the house is the bottleneck. One short written update: what happened, what’s next, what we need from the family. When the file is waiting on the court, say so plainly — silence is what makes people assume the worst. After it is under contract, updates can follow contract milestones instead of the calendar.

A useful sentence for the PR: “I will send a written update every Friday until we are under contract or we agree to pause. If you have a concern, reply to that email so everyone sees the same question.”

Step-by-step process we recommend

1 Confirm authority

Work with your probate attorney first. Know whether you have Letters, whether a sale petition is needed, and whether muniment of title or another simplified path even applies. Do not market around this. Build on it.

2 Get a realistic valuation

Ask for a CMA built for this house in this condition — not a best-case remodel fantasy. Pair it with a Net Sheet so “list it” and “take the cash offer” can be compared after costs, not before.

3 Decide on the path

Traditional sale when the estate can wait and the house will show well (or can, with funded repairs). **As-is / cash** when vacancy, condition, or distance make speed and certainty more valuable than a retail finish. Many families need to see both numbers on one page before they can agree.

4 Prepare the property

Secure it. Photograph it. Decide what must be removed vs. sold vs. donated. A full house is not a strategy. Clean-out is often the real first showing.

5 Market and show it like a probate property

Disclose that it is an estate sale in the way counsel and the MLS require. Use contracts that survive court timing. Limit “open house chaos” if heirs are sensitive; private showings and a lockbox with a local coordinator are often kinder. Buyers who understand estate timing close; buyers who do not create drama.

6 Closing and distribution

Proceeds go to the estate, not to whoever shouted loudest. Your attorney and the closing attorney handle how funds are held and distributed. Our job is to get you to a clean closing on a timeline the court and the family can live with.

What to expect working with Probate Guardians

Probate Guardians TN is Scott Hardesty and Branton Walker. We coordinate the property side of probate for families in Middle Tennessee — not the legal file. If you have a probate attorney, we copy them. If you need one, we help you find the right conversation; we do not practice law.

How we reduce drama. Everyone sees the same photos and the same Net Sheet. We do not take sides on “what Mom would have wanted.” We put list vs. cash on one page and let the family, with counsel, choose.

How we keep everyone informed. One coordinator. One number. A weekly written update while the house is the bottleneck. The PR stays the decision-maker. Heirs are not left to crowd-source the truth in a group chat.

Local expertise. We work Davidson, Williamson, Rutherford, Sumner, Wilson, Maury, Montgomery, Dickson, Cheatham, and surrounding counties. We know vacant-house risk, court-aware contracts, and why a Gallatin rancher and a Franklin cottage are not the same listing. Branton walks properties. Scott keeps the process moving.

We will not tell you the court is optional. We will not list before you have (or condition on) the right authority. That is how we stay useful to families *and* to the lawyers who refer them.

7 · WHEN YOU ARE READY

A calm next step

If you want a no-pressure conversation about the house — what it might net, what it is costing to sit, and which path fits this family — we are here. You do not need to have every document in order. You do not need to have family consensus yet. You need a clear picture.

Call or text **(615) 669-7075**. Ask for the Executor’s Guide follow-up, or simply say you inherited a house in Middle Tennessee.

Scott Hardesty · Branton Walker

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