



NEWSLETTER

FOCUS OF THE MONTH: PROBATE | AUGUST 2023

Things You Need to Know About Probate in Washington State

Probate in Washington State is a court supervised process by which the ownership of property of a deceased person (the decedent) is administered and determined. Probate cases are opened in Superior Courts of each county across Washington State.

Typically, a decedent names who their personal representative Will be in their Will and that person, typically with the assistance of an attorney, can open a probate case and become officially named as the personal representative. If there is no Will, then an administrator may be appointed by the probate court. Below is a list of 4 real estate-related points everybody should know about probate in Washington state.

1. Probate is not required in Washington, regardless of whether the decedent died with a Will. Under Washington law, title to real property vests in the heirs and devisees upon death of the decedent. Therefore, title companies can often rely on a "Lack of Probate" process allowing the heirs and devisees to convey the real property of the decedent without a probate. However, there are times when a probate may be necessary due to complicated estate plans or unavailability of heirs or devisees. In those circumstances, your title company Will work with the personal representative appointed in the probate to convey any real property.
2. Proceeds from retirement, bank account or life insurance account with transfer on death provisions can be administered without having to go through probate.
 - Consider filing a Transfer on Death Deed (TODD) for your home to avoid the probate process or having your home involved in a probate case. A new law in Washington created in 2014 now allows for this type of deed to be recorded. This deed can be filed anytime and can be revoked at any time prior to death. This would allow for the immediate liquidation or transfer of the home by beneficiaries, without having to go through probate.
3. Assets placed in a revocable trust Will also avoid the probate process as they have already been transferred to the trust which names specific beneficiaries. There may be tax implications of transferring an asset so talk to your accountant before taking action.
4. As of 2023, estates that are worth \$2.193 million Will not be subject to Washington State taxes and estates worth less than \$25.84 Million for a joint couple or \$12.92 Million if single Will not be subject to Federal Estate taxes.

Extracted from an article by [Richard Symmes](#) | Apr 30, 2018 | [Estate Planning & Probate](#)

MESSAGE OF THE MARKET



As of May 30th 2023, the median list price for King County, WA is \$1,250,000 with the market action index hovering around 59. This is less than last month's market action index of 60. Inventory has held steady at or around 1,667.



As of May 30th 2023, the median list price for Pierce County, WA is \$691,950 with the market action index hovering around 59. This is less than last month's market action index of 63. Inventory has held steady at or around 965.



As of May 30th 2023, the median list price for Kitsap County, WA is \$669,375 with the market action index hovering around 50. This is less than last month's market action index of 55. Inventory has held steady at or around 402.

Monthly Homeownership Tip: Blast Away Grime

As we enter the final month of Summer, take advantage of the weather, and consider pressure washing your home. Pressure Washing the outside of your home can protect it from damage, improve its curb appeal, improve your health, protect the environment, and increase your property value. Here are some tips to help you get started.

- Take some time to prepare the area and ensure a successful and safe cleaning process. Identify any loose or damaged areas, such as loose siding, cracks in the concrete, or chipped paint.
- Clear the area of any obstacles or debris that could potentially interfere with the pressure washing process. Remove any furniture, plants, or items that are in the way to ensure unobstructed access to the surfaces you want to clean.
- Wear appropriate protective gear, such as safety goggles, gloves, and sturdy footwear.
- Always follow the manufacturer's instructions and adjust the pressure settings accordingly.
- After completing the pressure washing, allow sufficient time for the surface to dry completely before walking or placing any items back in the area.

By following these tips, you can make your summer pressure-washing projects safer and more successful.



Tip On One of Our Tools:

The inHere Experience Platform

The inHere[®] platform includes start inHere, the inHere mobile app and portal, and Close inHere. These integrated technology solutions work together seamlessly to provide a totally redesigned, transparent real estate experience from the moment a transaction is initiated through closing.



Title Tip: Probate

Probate laws vary from state to state, and probate is not required in Washington, whether the decedent died with or without a Will.

The following circumstances trigger automatic transfers by operation of law.

- Recorded Community Property Agreement
- Intestate Succession (by means of a Will)
- Joint Tenancy
- Trust Instruments
- Court Order
- Transfer on Death Deeds (“TODD”)

In the absence of any of the above items, probate may be warranted.

Q: What is probate for?

A: It is a request to the Court to determine the following:

- Validity of the submitted Will;
- Whether it is the last Will;
- Who gets the property (real and personal);
- Who has authority to deal with assets and convey them; and
- Elimination of some creditor rights.

Ideally, probate is the favored method for distributing property to the heirs and devisees of the decedent, and a title company can always decline to insure without a probate. However, in most circumstances, a title insurer in Washington Will rely on the “Lack of Probate” procedure to insure title.

Generally, Lack of Probate procedure is applicable in the following situations:

- The deceased made no provisions for the ownership of their property (intestate)
- If there is a Will (testate), the estate has sufficient assets to satisfy creditors, and there is no dispute as to who shall receive the property.

If you are representing a property where an estate is selling, be sure to connect with your title team up front to confirm you have the proper documentation for the sale. Our team of title experts are available to answer your questions and offer direction to assist with a issue-free transaction.