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# PROBATE

## Understanding Your Options

A free guide to help you understand your probate options, protect the estate, and make the best decision for your family.



You have options. We're here to help you find the right one.

**MEET YOUR NEIGHBOR****Matthew & Marisa Larkin**

If you're reading this guide, you may be dealing with the loss of someone you love — while also trying to figure out what to do with a home that's now part of their estate. That's an incredibly hard place to be. We want you to know: you are not alone, and you have options.



We started Deep Roots REI because we kept seeing Baltimore families lose out — not to foreclosure, but to confusion. Probate is one of the most misunderstood processes in real estate, and most families go through it only once, without any guidance. That didn't sit right with us.

So we built something simple: when you call our number, you talk directly to us. Not a call center. Not a salesperson. Just someone from Baltimore who genuinely wants to help your family figure out the best next step — whether that's keeping the home, selling it, or navigating the legal process together. No pressure. No judgment. Just honest help.

Talk to us directly: 443-216-9475

**CHAPTER 01**

# What Is Probate?

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Probate is the legal process of settling a deceased person's estate. It involves verifying the will (if one exists), appointing someone to manage the estate, paying debts, and distributing remaining assets to the rightful heirs. In Maryland, this process is overseen by the Orphans' Court or Register of Wills in the county where the deceased lived.

## Key Facts About Probate in Maryland

- ✓ **Court Supervised:** The County Orphans' Court (or Circuit Court) oversees the process. A personal representative is appointed to manage the estate.
- ✓ **Timeline:** A straightforward probate in Maryland typically takes 6–12 months. Complex estates or disputes can take longer.
- ✓ **No Will? No Problem:** If the deceased left no will (died "intestate"), Maryland law determines who inherits. The court appoints an administrator to handle the estate.
- ✓ **Costs:** Probate involves court fees, attorney fees, and personal representative fees – often 3–7% of the estate's value. These can be paid from estate proceeds at closing.
- ✓ **Property Can Be Sold During Probate:** You don't have to wait until probate is fully closed. In many cases, the home can be sold with court approval while the process is still underway.

**The most important thing to remember:** Probate does NOT have to be overwhelming. At every stage, you have options – and we are here to help you navigate them.

CHAPTER 02

# The Probate Timeline?

*How it works in Maryland*

<b>Week 1–2</b>	<b>Death &amp; Initial Steps</b> Obtain a certified death certificate. Locate any will. Notify banks and creditors. Do NOT clean out or sell any property yet – this must wait for court authority.
<b>Week 2–6</b>	<b>File for Probate</b> File a petition with the Register of Wills. The court appoints a personal representative (if a will exists) or an administrator (if no will). This person has legal authority to manage the estate.
<b>Week 1–3</b>	<b>Inventory &amp; Notice to Creditors</b> The personal representative prepares an inventory of all assets. Creditors are formally notified and given time to file claims – typically 6 months in Maryland. Outstanding debts (including back taxes and liens) must be resolved.
<b>Week 3–6</b>	<b>Property Can Be Listed or Sold</b> With court approval, the property can be sold at this stage. A cash sale is often the fastest and cleanest path – no financing contingencies, no repairs required, and we can often close in as little as 30 days once authorized.
<b>Week 6–12</b>	<b>Final Accounting &amp; Distribution</b> After all debts are paid and the property is sold, the personal representative files a final accounting with the court. Remaining assets are distributed to heirs and the estate is closed.

Don't wait until the estate is in crisis. Call or text: 443-216-9475

## Option 01 — Keep the Home

### *Strategies for heirs who want to retain the property*

Keeping the home is often the first instinct — and sometimes it's the right one. But it's important to understand the financial and legal steps involved. Here are the most common paths:

#### **Refinance Into Your Name**

If there's an existing mortgage, you may be able to refinance the loan into your name. This requires qualifying on your own credit and income. Federal law (the Garn-St. Germain Act) protects heirs from due-on-sale clauses in most cases.

#### **Transfer on Death Deed**

Maryland does not currently recognize Transfer on Death Deeds for real property. However, the personal representative can execute a deed transferring the property to an heir as part of the estate distribution. Consult the Baltimore County or City Register of Deeds for specifics.

#### **Buy Out Other Heirs**

If multiple people inherit, one heir can buy out the others' shares. This often requires an appraisal, a written agreement, and sometimes court approval. We can help you understand the fair market value.

#### **Rent the Property**

If you're not ready to sell or live in the home, renting can cover carrying costs while you decide. Keep in mind: as personal representative, you'll need to maintain the property and may need court permission to enter a lease.

Not sure if keeping the home makes sense? Call or text: 443-216-9475

## Option 02 — Sell & Move Forward

For many families, selling the inherited property is the best path forward. It eliminates carrying costs, resolves debts against the estate, and puts cash in your hands to move on. But not all sales are created equal.

### Traditional Sale vs. Working With Us

	Traditional Sale (With an Agent)	Working With Deep Roots REI
<b>Timeline</b>	3–6 months after listing	Close in as few as 14–30 days
<b>Repairs Needed</b>	Yes – buyers expect move-in ready	None – we buy as-is
<b>Showings</b>	Multiple open houses and walkthroughs	One visit from us
<b>Agent Commissions</b>	5–6% of sale price	None – \$0 in commissions
<b>Closing Costs</b>	Seller typically pays 1–3%	We cover all closing costs
<b>Certainty</b>	Deals can fall through due to financing	Cash offer – no financing contingencies
<b>Court Approval</b>	Required – can add delays	We handle the paperwork and coordinate with your attorney

### Why Selling During Probate Makes Sense

- ✓ Eliminates mortgage payments, taxes, insurance, and maintenance on a vacant property
- ✓ Resolves debts and liens before they grow
- ✓ Avoids potential property damage, vandalism, or code violations on a vacant home
- ✓ Allows heirs to distribute proceeds and move forward with their lives
- ✓ A cash sale can often be completed faster and with fewer complications than a traditional listing

## Option 03 — Negotiate with Creditors

If the estate owes more than it's worth — or if there are liens, back taxes, or disputed debts — don't assume the house is lost. There are strategies that can help protect the estate and potentially save money.

### **Negotiate Mortgage Payoff**

Lenders will sometimes accept a discounted payoff ("short sale") if the property is worth less than the remaining mortgage balance. This requires documentation and negotiation, but can save the estate tens of thousands of dollars.

### **Settle Tax Liens & Back Taxes**

Maryland counties offer payment plans and, in some cases, lien release negotiations. Baltimore City and Baltimore County both have processes for resolving outstanding property taxes. We can help you identify what's owed and explore options.

### **Dispute Invalid Claims**

Creditors must file claims within the statutory period (typically 6 months in Maryland). Claims filed late or without proper documentation can be challenged. The personal representative has the right — and the duty — to dispute questionable claims.

### **Petition for Supervised Sale**

In some cases, the court can authorize a sale under supervised conditions to protect all parties' interests. This is especially useful when there are disputes among heirs or complex creditor situations.

**Important Note:** We are not attorneys and do not provide legal advice. We work alongside your attorney (or can connect you with one) to help navigate the real estate side of probate. Always consult a licensed Maryland attorney for legal questions.

## MYTH VS. REALITY

# Common Myths About Probate

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**MYTH: "You can't sell a house during probate."**

REALITY: In Maryland, the personal representative can sell real property with court approval – often as early as 2–3 months into the process. A cash buyer like Deep Roots REI can make this even faster by eliminating financing delays.

**MYTH: "Probate takes years to complete."**

REALITY: Most straightforward Maryland probates wrap up in 6–12 months. Selling the property early can actually speed up the process by resolving a major estate asset.

**MYTH: "If there's no will, the state takes everything."**

REALITY: Maryland's intestacy laws determine who inherits – typically the surviving spouse and/or children. The state only takes assets if there are absolutely no living relatives.

**MYTH: "All heirs must agree before the property can be sold."**

REALITY: The personal representative has the legal authority to sell estate property with court approval, even if not all heirs agree. The proceeds are then distributed according to the will or Maryland law.

**MYTH: "You have to fix up the property before you can sell it."**

REALITY: Deep Roots REI buys properties in any condition. No repairs, no cleaning, no staging required. We've purchased homes in Baltimore with fire damage, water damage, hoarding situations, and years of deferred maintenance.

**KNOW YOUR RIGHTS**

## Your Rights as a Maryland Heir

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As an heir or beneficiary in a Maryland probate case, you have important legal rights. Understanding these rights can help you protect your interests and make informed decisions.

- ✓ **Right to Notice:** You must be formally notified when probate is opened, when the will is admitted, and of major actions taken by the personal representative. If you haven't received notice, contact the Register of Wills.
- ✓ **Right to Contest a Will:** If you believe the will is invalid – due to fraud, undue influence, or lack of capacity – you have the right to file a contest. In Maryland, this must typically be done within 6 months of the personal representative's appointment.
- ✓ **Right to an Accounting:** The personal representative must provide a full accounting of all estate assets, debts, and distributions. You have the right to review this and raise objections with the Orphans' Court.
- ✓ **Right to Remove a Personal Representative:** If the personal representative is mismanaging the estate, acting in bad faith, or failing to perform their duties, you can petition the court for their removal.
- ✓ **Right to Surplus Proceeds:** After all debts, taxes, and costs are paid, you have the right to your share of remaining estate proceeds as determined by the will or Maryland intestacy law.
- ✓ **Right to Petition for Sale:** As an heir, you can petition the court to authorize the sale of estate property if you believe it is in the best interest of the estate – even if the personal representative hasn't initiated one.

Questions about your rights? Call or text us: 443-216-9475

**FREQUENTLY ASKED QUESTIONS**

## Probate FAQ

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**Q: How long does probate take in Maryland?**

Most straightforward estates take 6–12 months. Complex cases with disputes or significant debts can take longer. Selling the property early can help speed up the overall process.

**Q: Do I need an attorney for probate?**

While not legally required in all cases, we strongly recommend working with a Maryland probate attorney. The process involves legal filings, deadlines, and responsibilities that are difficult to navigate alone. We can recommend trusted local attorneys.

**Q: Can I sell the house before probate is finished?**

Yes! In most cases, the personal representative can sell real property with court approval while probate is still ongoing. This is one of the most common questions we get — and the answer is almost always yes.

**Q: What if there are multiple heirs who disagree?**

The personal representative has the legal authority to act on behalf of the estate. If disputes arise, the Orphans' Court can intervene. Selling the property and splitting proceeds is often simpler than trying to co-own a home with family members who disagree.

**Q: What if the house needs major repairs?**

Deep Roots REI buys properties in any condition — no repairs, cleaning, or staging needed. This is especially helpful for probate properties that may have been vacant or neglected.

**Q: Are there taxes on inherited property in Maryland?**

Maryland does have an inheritance tax (for non-lineal heirs) and may have estate tax implications for larger estates. There is no capital gains tax on the "stepped-up basis" at the time of inheritance. Consult a tax professional for your specific situation.

**Q: What happens to the mortgage when someone dies?**

The mortgage doesn't disappear. The estate is responsible for payments. If payments aren't made, the lender can foreclose. Acting quickly — either to refinance, sell, or negotiate — is critical to protecting the estate's equity.

**Q: How does Deep Roots REI make money?**

We purchase properties at a fair price, then invest our own money to renovate and resell them. Our profit comes from the renovation and resale — not from fees or commissions charged to you. You pay nothing out of pocket when you sell to us.

**OUR TRACK RECORD**

## A Family We Helped Right Here in Baltimore

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**The Situation**

A Baltimore family lost their father unexpectedly. He left no will. The home – a rowhouse in Northeast Baltimore – had a remaining mortgage, two years of unpaid property taxes, and needed significant repairs. Three adult children inherited the property but lived in different states and couldn't agree on what to do.

**The Challenge**

The property was accumulating carrying costs – mortgage payments, taxes, insurance, and the risk of code violations from Baltimore City. The siblings were overwhelmed by the probate process and didn't know where to start.

**How We Helped**

Matthew and Marisa met with the eldest sibling, walked through the entire process, and connected the family with a local probate attorney. Once the personal representative was appointed and court approval was obtained, Deep Roots REI made a fair cash offer on the property – as-is, with no repairs or cleaning required.

**The Result**

The family closed in 28 days after court authorization. All outstanding debts were paid from the proceeds, and each sibling received their share. The entire probate process was resolved in under 8 months – and the family avoided foreclosure, code violations, and the stress of a traditional sale on a property that needed work.

Ready to talk? Call or text Matthew & Marisa: 443-216-9475

**HOW WE CAN HELP**

# Three Ways We Can Help

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**1****Buy the Property Directly**

We make fair, no-obligation cash offers on probate properties in any condition. No repairs, no commissions, no closing costs to you. We can close in as few as 14 days once court approval is obtained. This is the fastest way to resolve a probate property and distribute proceeds to heirs

**2****Guide You Through the Process**

Even if you're not ready to sell, we're happy to walk you through the probate process, explain your options, and connect you with trusted local attorneys, title companies, and other professionals. There's no cost and no obligation — just honest guidance from people who've helped dozens of Baltimore families navigate probate.

**3****Connect You with Resources**

We maintain relationships with probate attorneys, title companies, financial advisors, and housing counselors throughout the Baltimore area. Whatever your situation, we can help you find the right professional to assist. See our Local Resources page for direct contact information.

Ready to talk? Call or text 443-216-9475



## OUR PROCESS

# How It Works

Our process is designed to be simple, transparent, and stress-free. Here's what to expect when you work with Deep Roots REI:

### Step 1 5 minutes

#### Call or Text Us

Reach out at (301) 615-9275 or through [deeprootsrei.com](http://deeprootsrei.com). Tell us a little about your situation – we'll listen, answer your questions, and explain your options. No pressure, no obligation.

### Step 2 24–48 hours

#### We Research & Visit the Property

We'll research the property's title, tax status, and comparable values. Then we'll schedule a brief visit to see the home's condition. This is a quick walkthrough – not a formal inspection.

### Step 3 Within 48 hours

#### Receive a Fair Cash Offer

Based on our research and visit, we'll present a written, no-obligation cash offer. We'll walk you through exactly how we arrived at the number – no hidden fees, no surprises.

### Step 4 14–30 days

#### Close on Your Timeline

If you accept, we coordinate with your attorney and the court to get approval and close. We cover all closing costs. You choose the closing date. Proceeds are distributed to heirs as directed by the court.

## LOCAL RESOURCES

# Baltimore Probate Resources

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These are trusted local and state resources that can help you navigate the probate process. We encourage you to reach out to any of these organizations if you need assistance.

### **Baltimore City Orphans' Court**

111 N. Calvert Street, Room 531, Baltimore, MD 21202

Phone: (410) 752-5131

Handles probate matters for Baltimore City residents.

### **Baltimore County Register of Wills**

401 Bosley Avenue, Room 420, Towson, MD 21204

Phone: (410) 887-6680

Processes probate filings and appointments for Baltimore County.

### **Maryland Volunteer Lawyers Service**

201 N. Charles Street, Suite 1400, Baltimore, MD 21201

Phone: (410) 539-6800 | [mvlslaw.org](http://mvlslaw.org)

Free legal help for low-income Marylanders, including probate matters.

### **Maryland State Bar Association – Lawyer Referral**

Phone: (800) 492-1964 | [msba.org](http://msba.org)

Find a licensed Maryland attorney specializing in probate and estate law

### **HUD-Approved Housing Counseling**

Dial 2-1-1 or visit [211md.org](http://211md.org)

Connects Marylanders with health, human services, and community resources including emergency assistance, utilities help, and social services.



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# You Have Options. Let Us Help.

*We're not a corporation. We're your neighbors – a husband-and-wife team who cares about Baltimore families and wants to help you find the best path forward.*

**443-216-9475**

deeproofsrei.com

Call, text, or visit us online – anytime

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