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# Cribs, Million Dollar Listings, and Property Wars: Navigating the Drama of Administering Estates with Real Property

Aaron Dobbs

*25th Annual Estate Planning, Guardianship and Elder Law Conference*

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## Viewing Guide

GTFOOMH

Cribs

Help! I Wrecked My House

Million Dollar Listing

Brother vs. Brother

Property Wars

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## Vesting vs. Rights of Possession

- Vesting happens immediately upon death
- But is subject to PR's right to collect and of possession
- PR must use ordinary diligence to collect
- Enforceable by court order
- Includes certain community property assets
- **Does not include homestead**



## Homestead Rights of Occupancy

- Right of surviving spouse and decedent's minor children
- Vests immediately upon decedent's death
- Continues until abandoned
- Not affected by characterization
- Devise of homestead delayed during occupancy
- Practical issues: What is considered abandonment? What if homesteader does not pay for his/her liabilities?

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## Title search: Cribs, Million Dollar Listings, and Property Wars: Navigating the Drama of Administering Estates with Real Property

Also available as part of the eCourse

[2023 Estate Planning, Guardianship and Elder Law eConference](#)

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