

Family Property Planning Checklist

A planning-ahead guide for homeowners and families who want the property side organized before a crisis, move, incapacity, or future estate transition.

Northwoods' role

Northwoods Property Team is not your attorney, accountant, tax adviser, financial planner, elder-law adviser, or insurance professional. This checklist is general real-estate education. It does not interpret estate documents or provide legal, tax, Medicaid, trust, fiduciary, or financial advice. Verify current requirements with the appropriate professional.

1. Create one property information file

The goal is not to solve every estate question yourself. The goal is to make the important property information easy for the owner and the right helpers to find.

- Current deed and any trust/property ownership documents.
- Mortgage, home-equity, or reverse-mortgage information.
- Property tax bill, assessment, Current Use paperwork, timber records, and conservation documents.
- Survey/plan, easements, rights-of-way, private-road or maintenance agreements.
- Well, septic, water, heating, electrical, roof, foundation, generator, and improvement records.
- Insurance company/contact and policy information.
- Fuel, electric, internet, plowing, caretaker, contractor, and utility contacts.
- Keys, alarm/access instructions, shutoffs, breaker/furnace locations, and emergency procedures.
- Photos of major systems and the property in its current condition.

2. Make the professional team easy to identify

- Estate-planning or elder-law attorney.
- CPA/tax professional.
- Financial adviser, if used.
- Insurance professional.
- Health/aging-resource contacts where appropriate.
- Preferred REALTOR(R) for market and property questions.
- Trusted local people who can check the property, plow, repair, clean, or secure it.

3. Review how the property is actually owned

Estate planning works only when the documents and title line up.

- Pull the current recorded deed instead of relying on memory.
- Confirm whether title is individual, joint with survivorship, tenants in common, trust-owned, life-estate based, or another form.
- If a trust is intended to own the property, confirm the deed actually places the property in the trust.
- If a Transfer on Death Deed is being considered, have a NH attorney review the current RSA 563-D requirements and beneficiary consequences.
- Review how joint ownership and survivorship interact with any TOD plan.
- Identify surviving-spouse/homestead issues that need attorney review.
- For camps or family compounds, document who will pay carrying costs, who may use the property, and what happens if an owner wants out.

Will, trust, TOD, and deed are not interchangeable

A will directs probate property at death. A trust can own/manage property. A TOD deed can transfer real property at death. A deed controls current title. Bring all of them to the attorney so the plan and ownership match.

4. Plan for death and incapacity as two different events

- Review the will and trust with qualified counsel and update them when family/property circumstances change.
- Identify the executor/administrator nomination and successor trustee choices.
- Decide whether a TOD deed or survivorship ownership is appropriate only after legal/tax review.
- Make sure the family knows where signed originals and recorded property documents are kept.
- Do not assume a death plan also gives someone authority if the owner becomes incapacitated.

5. Review financial Power of Attorney for real-estate authority

New Hampshire financial POA can be one of the most important tools for the property while the owner is alive.

- Identify the financial/property power of attorney and the named original/successor agents.
- Ask whether it is effective immediately or only after a future event.
- Confirm whether it is durable and therefore intended to continue through incapacity.
- Ask counsel whether the real-property authority is broad enough for management, listing, sale, lease, mortgage, repairs, and related acts the owner may want delegated.
- Understand that certain beneficiary-designation powers require express authority.
- Keep the signed original/certified copies where they can be produced when needed.
- Remember: the POA terminates at the principal's death.

6. Keep health-care authority separate

- Identify the health-care power of attorney / advance directive under RSA 137-J.
- Do not assume the health-care agent can sign a listing agreement or deed.
- Make sure family members know which document controls medical decisions and which controls money/property.
- If there is no usable financial authority and capacity becomes an issue, contact counsel promptly about less restrictive alternatives or guardianship.

The simple family question

When someone says, "I am Mom's power of attorney," ask: Which power of attorney? Is it effective? Does it cover this property act? Is Mom still living? Those answers can completely change the real-estate path.

7. Map the property money and risk

- List mortgage/home-equity/reverse-mortgage balances and servicer contacts.
- Estimate annual property taxes, insurance, fuel, electricity, plowing, maintenance, association dues, and other carrying costs.
- Review insurance coverage for vacancy, seasonal use, wood heat, outbuildings, or other special conditions.
- Confirm Current Use status and understand that a future qualifying change in use can trigger land-use change tax.
- Keep improvement records that may help with property history or tax-basis calculations.
- Ask a CPA/tax attorney about future basis/capital-gain questions instead of relying on purchase price alone.

Medicaid / gifting caution

Do not deed the house or land to children as an internet "probate" or "nursing-home" strategy without New Hampshire elder-law and tax advice. A transfer can affect control, taxes, creditors, Medicaid eligibility/recovery, and future sale rights.

8. Create a property operating plan for a crisis

- Who checks heat, fuel, water, power, roof, driveway, and snow?
- Who can access keys, gate codes, alarm, generator, shutoffs, and service records?
- Who contacts the insurer, lender/servicer, town, contractors, and utilities?
- How will bills be paid if the owner cannot manage accounts?
- Which pets, tenants, vehicles, equipment, or personal-property issues need immediate attention?
- Which family member has authority versus merely practical knowledge?

9. Make the keep, rent, transfer, or sell conversation measurable

A family decision is easier when everyone can see the numbers.

- Get a current property-value range before making long-term assumptions.
- List likely near-term repairs and deferred maintenance.
- Estimate one-year carrying cost if the property is kept vacant or lightly used.
- If rental is considered, evaluate realistic rent, management, maintenance, insurance, and legal obligations.
- If one heir may buy out others, consider financing ability and an agreed valuation method.
- If a future sale is likely, identify what should be maintained now so value is not lost through neglect.
- For family camps/land, write down shared-use and expense expectations before conflict develops.

10. Review annually and after major life/property changes

- New marriage, divorce, death, beneficiary change, or family conflict.
- New property, sale of property, refinancing, mortgage payoff, or new debt.
- Move to assisted living, major health change, or declining ability to manage the property.
- Trustee/agent/executor no longer willing or appropriate to serve.
- Major renovation, subdivision, Current Use change, conservation restriction, or access/title issue.
- Change in where originals, passwords, digital records, or keys are stored.

Northwoods role before a sale

Northwoods can give the family a realistic current market range, identify condition/financing concerns, compare as-is versus targeted preparation, and estimate sale timing and marketability without turning the planning conversation into a listing pitch.

Official resources to verify current requirements

Use current official sources and qualified professionals for the actual estate plan, power of attorney, deed, trust, tax, Current Use, Medicaid, or transaction.

NH Probate Division	courts.nh.gov/our-courts/circuit-court/probate-division
NH RSAs - Title LVI	gc.nh.gov/rsa/html/NHTOC/NHTOC-LVI.htm
NH Transfer on Death Deeds - RSA 563-D	gc.nh.gov/rsa/html/LVI/563-D/563-D-mrg.htm
NH Power of Attorney - RSA 564-E	gc.nh.gov/rsa/html/LVI/564-E/564-E-mrg.htm
NH Trust Code - RSA 564-B	gc.nh.gov/rsa/html/LVI/564-B/564-B-mrg.htm
NH DRA Current Use	revenue.nh.gov/current-use
NH DRA Real Estate Transfer Tax	revenue.nh.gov/taxes-glance/real-estate-transfer-tax
IRS Publication 551 - Basis of Assets	irs.gov/publications/p551
NH Bar Lawyer Referral Service	nhbar.org/lawyer-referral-service/why-lrs
NH County Registries of Deeds	nhdeeds.org

Northwoods Property Team

When you need the property numbers, we can help with current market value, condition and financing fit, carrying-cost implications, a future sale timeline, and a practical preparation plan. northwoodspropertyteam.com | 603-631-7978

v1.9.4 checklist review: October 18, 2026. Built from the Northwoods estate-property RSA audit current through the 2026 regular legislative session. Verify current law and forms before relying on a requirement.