

Northern NH Executor & Inherited Property Checklist

A practical property-side checklist for families, fiduciaries, trustees, and heirs handling a home, camp, land, or other real estate after a death.

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. Stabilize the property first

Before making sale decisions, prevent avoidable damage and create a reliable property-management system.

- Secure doors, windows, garages, sheds, vehicles, keys, documents, and valuables.
- Contact the insurer and accurately explain the death, occupancy, and vacancy situation.
- Maintain appropriate heat, fuel, electricity, and water service until professionals advise otherwise.
- Arrange property checks, snow removal, plowing, roof/snow monitoring, and emergency access.
- Photograph current condition, major systems, land, outbuildings, and significant personal property.
- Identify leaks, frozen-pipe risk, failing heat, electrical hazards, roof problems, or other urgent conditions.
- Forward or monitor mail and identify recurring property bills.

Northwoods approach at this stage

We can help identify practical property risks, local vendors, access issues, condition concerns, and the information a future real-estate strategy will need. We do not decide who has legal authority to act.

2. Identify ownership and authority before anyone signs

Do not assume that an heir, child, named executor, former POA agent, or family member can sign a listing or sale agreement.

- Pull the current deed and confirm exactly how title was held at death.
- Locate the will, trust, Transfer on Death Deed, and any recorded revocations or later deeds.
- Confirm whether an executor/administrator has actually been appointed; being named in a will is not the same thing.
- If trust-owned, identify the acting/successor trustee and ask title what trust certification is required.
- If TOD property, obtain the recorded TOD deed and confirm the statutory Notice of Death Affidavit requirements.
- If survivorship ownership exists, have title confirm the surviving owner and required death documentation.
- Remember: a financial power of attorney terminates at the principal's death.
- Identify surviving spouse, minor/protected beneficiaries, multiple heirs, or disputes that need attorney review.

Authority map

Estate, trust, TOD, survivorship, and direct co-ownership are different transaction paths. Start title and attorney review early instead of waiting for a buyer and closing deadline.

3. Build the title and estate file

- Certified death certificate(s) as requested by attorney/title.
- Deed, survey/plan, easements, rights-of-way, private-road or maintenance agreements.
- Will, probate case number, certificate/letter of appointment, consents, licenses, or court orders as applicable.
- Trust or certification of trust if property is trust-owned.
- TOD deed and post-death recording information if applicable.
- Mortgage, home-equity, reverse-mortgage, liens, tax balances, association dues, and contractor claims.
- Current Use, conservation, timber, lease, or land-management documents.
- Ask title/closing professional for the file-specific document list.

4. Separate valuation, tax, debt, and sale-price questions

Date-of-death value and today's list price are different tools.

- Ask the attorney/CPA what date-of-death valuation is required for estate inventory or tax basis.
- Decide whether a licensed appraisal is appropriate for the estate/tax purpose.
- Obtain a current market analysis for present-day pricing and sale strategy.
- Gather improvement records that a CPA may need when calculating basis.
- List known mortgages, liens, taxes, utilities, funeral/estate expenses, and creditor claims for the fiduciary/attorney.
- If debt may exceed estate assets, get legal advice before assuming sale proceeds can be distributed.
- Use current NH DRA guidance for estate/inheritance tax questions and a CPA for federal basis/capital gain.
- Treat a later arms-length sale as a separate real-estate-transfer-tax event from the qualifying inheritance/TOD transfer.

Do not mix these three questions

Estate/inheritance tax, capital-gain income tax, and New Hampshire real estate transfer tax are different issues. The CPA and closing professional handle different parts of the answer.

5. Protect land and special property status

- Confirm Current Use status with the municipality before developing, subdividing, or changing use.
- Do not assume inheritance itself triggers the land-use change tax; the qualifying change in use matters.
- Identify timber, wetlands, conservation restrictions, shoreland issues, private roads, seasonal access, and utility limitations.
- For camps/off-grid property, document water source, septic/privy, heat, power, winter access, and seasonal systems.
- For multi-family property, gather leases, deposits, tenant records, utility arrangements, and operating information.

6. Handle personal property and digital records before cleanout

The real estate and the belongings inside it are not the same asset.

- Identify items specifically distributed by will/trust or claimed by beneficiaries before disposing of them.
- Separate valuables, firearms/regulated items, vehicles, equipment, collections, records, and sentimental property from ordinary cleanout.
- Preserve receipts, contracts, tax records, surveys, improvement records, insurance files, and title documents.
- Lawfully preserve access to online mortgage, tax, insurance, fuel, utility, contractor, and maintenance accounts.
- Use an estate-sale, auction, donation, storage, or disposal plan only after the fiduciary is comfortable with ownership and documentation.
- Photograph the property before and after major cleanout or repair work.

7. Choose as-is versus targeted preparation

- Ask Northwoods to identify likely buyer type and financing before ordering large repairs.
- Prioritize property protection, safety, financing barriers, cleanliness, access, and first impression.
- Compare repair cost and time against likely value gain and carrying cost.
- Avoid full renovations just because the home is dated.
- Confirm what the estate will remove, leave, sell separately, or include before marketing photographs are taken.

Northwoods approach at this stage

We build an answer-first property plan: likely value, likely buyer, as-is vs targeted work, financing fit, timeline, carrying cost, and what will actually improve the probability of closing.

8. Prepare for listing, disclosure, and closing

- Confirm the authorized signer and exact name/title that should appear on brokerage and transaction documents.
- Start title work early and resolve open estate/trust/TOD/co-owner issues before a closing deadline.
- Complete current New Hampshire residential disclosures that apply, including the RSA 477:4-d subjects.
- For older housing, review federal lead-based paint disclosure obligations when applicable.
- Keep heat, insurance, snow/access, utilities, and property checks active through closing as required.
- Analyze offers by net price, financing, appraisal risk, inspections, concessions, contingencies, and probability of closing.
- Coordinate cleanout, keys, fuel/utility readings, final walkthrough, transfer tax, deed, and closing requirements.

Quick decision guide

If the question is...	Start with...
Who can sign?	Estate/trust attorney + title/closing professional
What is it worth today?	Northwoods current market analysis
What was it worth at death?	Attorney/CPA + appraiser if needed
Do we owe tax?	CPA/tax attorney + closing professional for RETT
Should we repair it?	Northwoods property/market strategy before major spending
Can we deed/gift/disclaim it?	Estate/elder-law attorney before action

Official resources to verify current requirements

Laws, forms, court procedures, and tax guidance change. Use the current official source and the appropriate professional for the actual estate.

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 the legal/title path is clear, Northwoods can lead the real-estate side: current value, condition review, as-is vs repair strategy, local vendors, professional marketing, offer analysis, inspections, appraisal, title coordination, and closing.
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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.