

PROBATE & INHERITED PROPERTY IN PENNSYLVANIA

Probate Survival Guide

How to Protect a Home and Its Equity Through the Probate Process

WHY THIS GUIDE MATTERS

When a homeowner dies and a property is in foreclosure, probate and foreclosure run on parallel tracks — and the lender doesn't pause simply because an estate has been opened. Mortgage payments are still expected. Deadlines still apply. Here's what most heirs don't realize:

70%

Of probate homes sell within 24 months

Every month

Fees, interest & costs drain equity

Any time

Lender can restart if payments are missed

This guide covers the risks, warning signs, and steps to protect the estate's equity before it's gone.

THE 5 BIGGEST RISKS IN PROBATE FORECLOSURE

- 1 Court Deadlines & Delays** — Probate in Pennsylvania's Court of Common Pleas is strict. Miss a required filing or inventory deadline and the lender can immediately move to reschedule the sheriff sale.
- 2 Mounting Mortgage Debt** — Even while foreclosure is paused, interest, late fees, and arrears keep growing every month. The equity you're trying to protect shrinks with every delay.
- 3 Attorney Fees & Court Costs** — Legal fees, filing costs, and required notices add up quickly — often tens of thousands — all paid from the estate before heirs see a dollar.
- 4 Family Disagreements** — Multiple heirs mean multiple opinions. Disputes slow everything down while the bank keeps charging interest and the clock keeps running.
- 5 Ongoing Property Expenses** — Taxes, insurance, utilities, and maintenance don't stop during probate. If these go unpaid, additional liens and code violations pile up on top of the existing problem.

THE NUMBERS THAT MATTER

- > **70%** of probate properties end up sold within 12-24 months because families can't sustain the costs.
- > **Foreclosure restarts** if required filings are missed or mortgage payments aren't maintained during probate.
- > **Every month of delay** adds fees, interest, and expenses — shrinking what heirs actually receive.

Example: A home in Adams County worth \$180,000 with \$100,000 owed had \$80,000 in equity. After 10 months of probate delays, attorney fees, interest, and carrying costs reduced that to \$61,000. The family lost \$19,000 by waiting.

REAL STORIES

The missed filing

A York County family filed probate to pause foreclosure but missed a required inventory deadline with the Court of Common Pleas. Within 3 months the lender rescheduled the sheriff sale. The property lost \$24,000 in equity while the family thought the problem was handled.

Carrying costs nobody budgeted for

A Cumberland County estate had a property with \$65,000 in equity when probate opened. Nobody budgeted for the ongoing mortgage payment, taxes, insurance, and utilities. Eleven months later, those carrying costs — combined with attorney fees — had reduced the net equity to \$41,000. The heirs received \$24,000 less than they would have by acting sooner.

The quiet restart

A Lancaster County family assumed probate had solved the foreclosure problem. When mortgage payments weren't maintained, the lender quietly filed a motion and restarted proceedings. By the time the heirs realized it, they had 18 days to act.

6 STEPS YOU CAN TAKE RIGHT NOW

- 1 Stay on Top of Court Deadlines** — Use a calendar. Every required filing with the Court of Common Pleas has a deadline. Missing one can put the property back on the sheriff sale list.
- 2 Track All Mortgage Notices** — Even during probate, the lender sends foreclosure-related correspondence. Open and save every piece of mail from the lender and court.
- 3 Budget for Taxes, Insurance & Maintenance** — The court won't cover these. Unpaid property taxes and lapsed insurance create new problems on top of existing ones.
- 4 Keep Attorney Communication Open** — Don't assume filings are being handled. Confirm every deadline directly with your probate attorney.
- 5 Know the Equity Position** — Home value minus loan balance minus arrears minus attorney fees equals the real number heirs are protecting. Know it and revisit it monthly.
- 6 Consider Selling During Probate** — Many heirs don't realize the property can be sold during probate with court approval. It converts equity to cash, divides it fairly, and closes the estate faster.

Want to protect the estate's equity?

Free, confidential, and no obligation. A 15-minute call can help identify risks before the lender acts.

Reply "YES" or call/text (717) 356-3551 · innov8tiverealestate.com