Inherited a House in Colorado?

A checklist for heirs: what to gather, what to check, and what to ask before you sell.

General information only, not legal or tax advice. Every estate is different, and rules change. Where it matters, check with the county court, a probate attorney or a tax professional.

1. Find out how the house is titled

Everything else depends on this. A trust on paper that never took title to the house does not avoid probate for that house.

- [ ] Get a copy of the **recorded deed** from the county clerk and recorder for the county where the house sits.
- [ ] Check whose name is on it, and whether it was held alone, in joint tenancy, or in a trust that actually owns the house.
- [ ] Ask whether a **beneficiary deed** (Colorado's transfer-on-death deed) was recorded *before* the owner died.

2. Documents to gather

- [ ] Certified copies of the death certificate
- [ ] The will, if there is one (original if possible)
- [ ] The recorded deed
- [ ] Court paperwork proving your authority to act, if probate is open
- [ ] Latest mortgage statement, property tax statement and HOA statement, if any
- [ ] Homeowner's insurance policy and utility account details
- [ ] Any appraisal, inspection report or repair estimates you already have
- [ ] Names and contact details for every heir

3. Probate: the questions to settle first

A title company or buyer will ask for proof of authority before closing. Without it, nobody can sign a deed.

- [ ] Does a probate case already exist for this estate, or does one need to be opened?
- [ ] Who is (or will be) the **personal representative**? Only that person can sign for the estate.
- [ ] Does the will or a court order limit what the personal representative can do with the house?
- [ ] Has the notice to creditors been published? Creditors get at least four months from first publication to file claims.
- [ ] Ask the court clerk or a probate attorney for a realistic timeline for your county.

4. What the house owes

- [ ] Mortgage or reverse mortgage: ask the lender for a payoff amount
- [ ] Back property taxes or liens (a title company can show what is recorded)
- [ ] HOA dues and any special assessments
- [ ] Unpaid utilities and insurance still running on the house

5. What to budget for

Ask the title company for a settlement estimate before you agree to anything.

- [ ] **Probate:** court filing fees (check the Colorado Judicial Branch fee schedule), attorney fees, publication costs
- [ ] **Selling:** agent commission if you list, repairs and clean-out, closing and title fees, Colorado documentary fee, county recording fees, any city transfer tax
- [ ] **Holding the house:** insurance, utilities, property taxes, lawn and snow care, HOA dues, every month until it sells

6. Questions to ask before you choose how to sell

- [ ] What will I actually **net** after repairs, fees, carrying costs and the time this takes?
- [ ] What is an agent's estimate if the house is listed after repairs? What would the repairs cost?
- [ ] What would a buyer pay **as-is**? (Offers are usually below what a repaired, listed house might bring, so compare.)
- [ ] How soon do I need the money, and how long can I afford to carry the house?
- [ ] Do I need an appraisal as of the date of death to document the stepped-up tax basis? (Ask a tax professional.)
- [ ] Get at least two options in front of you before deciding.

7. If more than one person inherits

- [ ] Talk first. Find out who wants to keep it, who wants to sell, and who just wants it over with.
- [ ] Pick one point person. Everyone else gets updates in writing.
- [ ] Share the same numbers with every heir: value estimate, repair cost, mortgage payoff, monthly carrying cost.
- [ ] Put any agreement in writing (a buyout or an agreement to sell) and have an attorney look at it.
- [ ] Consider a mediator if the disagreement is more about family than the house.
- [ ] If heirs truly cannot agree, a court process called **partition** exists. It takes time and money, so most people try everything else first.

8. Who to call

- [ ] Probate attorney: authority to sell, court steps, anything involving a dispute
- [ ] Tax professional (CPA): stepped-up basis, any tax on the sale
- [ ] Title company: what they need to close, settlement estimate, liens
- [ ] County clerk and recorder: the recorded deed and recording fees
- [ ] Court clerk (in the county where probate is filed): forms, fees, timelines

Want to see what an as-is sale could look like in numbers? You can request a no-obligation cash offer and compare it with an agent's estimate and what repairs would cost. Visit **sethbuyshouses.net**.

Prepared by Seth Buys Houses, Fort Collins, Colorado. Updated November 2026. This checklist is a starting point and does not replace advice from a licensed attorney or tax professional.