

**GEAUGA COUNTY PROBATE COURT  
JUDGE TIMOTHY J. GRENDALL**

**CHECKLIST – CONSENT TO SELL REAL PROPERTY  
[R.C. 2127.011 – for Estate]**

These instructions are provided as a public service of the Geauga County Probate Court, are intended as a guideline only, and are not legal advice. Depending on the circumstances of each case, additional steps may be required that are not listed below. The clerks are not attorneys and therefore cannot answer legal questions or assist you in completing the forms or deciding which forms apply to your situation. The documents that you file must be typewritten, legible, and completed in their entirety. The clerks may refuse for filing illegible or incomplete documents. The Court recommends that you obtain legal advice from your attorney or obtain assistance from the Court’s Help Center before preparing and filing any forms. You may make an appointment with the Help Center by calling 440-226-7339. If you decide to proceed without assistance from your attorney or from the Court’s Help Center, then you should read the following before taking any action:

- Geauga Probate Local Rule – Superintendence 65
- Probate Information Sheet – Land Sales
- R.C. 2127.011

**Sale by Consent – Estate (R.C. 2127.011)**

**Background –**

- Sale by Consent by an Executor or Administrator of an estate is not available if:
  - the sale price is less than 80% of the appraised value of the real estate as set forth in the approved Inventory; or
  - any of the surviving spouse or any legatee, devisee, or heir is a minor; or
  - the Inventory has not been filed and approved, or a copy of the deed was not filed with the Inventory.
- If a surviving spouse is the estate representative, then that spouse may sell the real property to self.
- Sale by consent under R.C. 2127.011 is not available to a commissioner in a release from administration proceeding, but rather is only available to a duly appointed Executor or Administrator.

**Filing Requirements**

1. **Form 11.0 – Consent to Power to Sell Real Estate**

### **Additional Notes**

- **Form 11.0** must be signed by the surviving spouse, all of the legatees and devisees in the case of testacy, and all of the heirs in the case of intestacy.
- A court order is not required to sell real property under R.C. 2127.011.