



BROOKSTONE PROBATE LIBRARY™

Insurance & Vacant Home Risk

Understanding Coverage During Probate

When a property becomes vacant during probate, one of the most important but often overlooked responsibilities is reviewing the homeowner's insurance policy. Many standard insurance policies are originally written for homes that are actively occupied, and when that status changes, the way the insurance company evaluates risk may also change.

This does not automatically mean coverage is lost, but it does mean the policy may need to be reviewed, updated, or clarified to ensure the estate remains fully protected throughout the probate process. Taking the time to address this early helps prevent unexpected gaps in coverage and reduces risk to the estate.

Why Vacancy Changes Insurance Risk

Insurance companies typically view vacant properties differently than occupied homes because the likelihood of undetected damage increases significantly. When a home is not regularly lived in, problems can develop and go unnoticed for longer periods of time.

Common risks associated with vacant properties include water leaks, frozen or burst pipes, storm or weather-related damage, electrical or HVAC issues, and potential break-ins or vandalism. Even minor issues can become more serious when they are not discovered quickly.

Because of these increased risks, insurers often apply different rules or requirements once a property is considered vacant or unoccupied.

Potential Changes to Coverage

Depending on the insurance carrier and the specific policy in place, several outcomes are possible when a property becomes vacant during probate.

In some cases, the insurance company may require a vacant property endorsement, which is an addition to the policy that adjusts coverage to reflect the new risk level while keeping protection in place. In other situations, the carrier may request updated information, documentation, or confirmation of occupancy status before confirming continued coverage.

Some policies may also adjust certain coverage terms or conditions during the vacancy period. These adjustments vary by provider, which is why direct communication with the insurance company is essential rather than assuming coverage remains unchanged.

Importance of Early Communication

One of the most important steps during probate is contacting the insurance provider as early as possible once occupancy status changes or is expected to change. This allows the carrier to review the situation and advise whether any updates are needed to maintain proper coverage.

During this conversation, it is helpful to confirm how the policy defines “vacant” or “unoccupied,” whether any endorsements are required, and what steps must be taken to keep the policy active and valid under probate conditions.

It is also strongly recommended to keep written documentation or records of these conversations. Having a clear paper trail ensures there is no confusion later if a claim is ever filed or if questions arise regarding coverage status during the probate period.

Why This Matters for the Estate

Insurance is not just a formality during probate—it is a critical protection mechanism for one of the estate’s most valuable assets. A lapse in coverage or misunderstanding of policy terms can expose the estate to financial risk that may be difficult or impossible to recover from later.

Proper insurance management ensures that the property remains protected against unexpected events while the legal process is ongoing. It also provides peace of mind to the Personal Representative, knowing that the asset is being safeguarded appropriately.

Key Takeaway

When a property becomes vacant during probate, insurance should be reviewed immediately to confirm whether any policy changes, endorsements, or documentation are required. Proactive communication with the insurance provider helps prevent coverage gaps and ensures the estate remains fully protected throughout the process.

→ Continue Reading: Vacant Property Checklist