

■ WFG NATIONAL TITLE

AB 2016 - Simplifying Probate for Primary Residences - Effective April 1, 2025

Effective Date: April 1, 2025, AB 2016 will make it easier for families to transfer a primary residence valued under \$750,000 without going through full probate.

Key Provisions of AB 2016:

- ▶ Primary Residence Exemption: Homes valued up to \$750,000 will no longer require probate.
- ▶ Applies to Deaths on or After April 1, 2025.
- ▶ Simplified Succession Process:
 - Estates can now use a Petition to Determine Succession to Real Property for homes up to \$750,000—avoiding lengthy probate proceedings.
 - Total assets up to \$934,500 (including up to \$184,500 in cash) may qualify for this streamlined process.
- ▶ Definition of Primary Residence:
 - The home must have been the decedent's primary residence, even if they weren't living there at the time of death.
- ▶ Procedural Requirements:
 - All heirs must sign the required court documents.
 - A probate referee must appraise the home's value.
 - At least 40 days must pass after the owner's death before filing the petition.

Why This Matters:

AB 2016 can potentially help families avoid years of probate delays, reducing court costs, simplifying the inheritance process, and allowing heirs to access and sell the property more quickly without the burden of lengthy legal proceedings.

For legal guidance, consult an attorney or certified probate specialist.

