A PLAIN-ENGLISH GUIDE FOR OKLAHOMA FAMILIES

Selling an inherited home in Oklahoma

What probate actually costs you in time, the tax break most families never hear about, and a 30-day plan for getting unstuck — written for Tulsa.

From Marco & Nora Brown

Okie Native Homebuyers — a two-person, husband-and-wife company in Tulsa. Both Oklahoma natives. We buy houses, and just as often we point families somewhere better.

START HERE

If you only read one page, read this one

You inherited a house you didn't ask for, probably during the worst month of your year, and now there's paperwork attached to your grief. We wrote this because we kept having the same conversation with Tulsa families — and it was always the same five things nobody had told them.

Here they are, up front, in case you never turn the page:

1. **Nobody can sell the house until the deed problem is solved.**
   Not the oldest child, not the one with the keys, not the one paying the taxes. Everything else waits on this — so find out where title stands first. It's public record and it's free to look up.

2. **Probate is probably faster than you've been told.**
   Oklahoma has a fast track that finishes in about two to four months, and one of the ways to qualify is simply that your loved one passed away more than five years ago. Families sitting on long-vacant houses often qualify without knowing it.

3. **The tax bill you're afraid of probably isn't coming.**
   Because of something called stepped-up basis, most families who sell an inherited house near its current value owe little or no capital gains tax — even on a house bought for a fraction of today's price in 1985.

4. **"Probate costs too much to start" is often not true.**
   Many Oklahoma attorneys will handle an estate with a house in it and get paid at closing instead of up front. If money is the reason your family's probate never got filed, ask before you accept that.

5. **Doing nothing is a decision, and it's the expensive one.**
   Taxes, insurance, utilities, city code letters, and quiet decline all keep running. Every month an empty house sits, it usually gets worth less.

> **One honest note before we go further.** We buy houses for a living, so we have an obvious interest here. We've written this guide to be useful even if you never call us — including the parts where we tell you that listing with an agent or keeping the house is your better move. If it helps you and we never hear from you, that's a fine outcome.

THE MAP

What's in here

Eight short chapters. Read straight through if you're at the beginning, or jump to the one that matches where you're stuck.

How to use this guide

If nobody has done anything yet, read Chapter 1, then go straight to Week 1 of the 30-day plan in Chapter 7. Those five phone calls will tell you more than another week of searching online.

If probate is already open, skip to Chapter 3 for the tax picture and Chapter 6 to decide what to do with the house.

If the family is stuck on each other rather than the paperwork, Chapter 5 is the one — the shortest chapter, and the one people tell us they needed most.

If the house has been sitting for years, read the five-year rule in Chapter 2 first. It may cut your timeline in half, and almost nobody knows it exists.

> **Print it, mark it up, hand it to your sister.** The checklist in Chapter 7 has real checkboxes because it's meant to be printed and worked through. You're welcome to share this guide with anyone in your family — that's what it's for.

CHAPTER ONE

Can you even sell it yet?

Every inherited-house question runs into one legal fact: **only a person named on the deed can sign it away.** When someone dies, Oklahoma needs an official way to move their name off and the right names on. Three roads do that, and they take very different amounts of time.

ROAD ONE

No probate needed

The house was in joint tenancy with a surviving owner, or your loved one recorded a transfer-on-death deed. Ownership passes outside of court.

Days to a few weeks

ROAD TWO

Summary administration

Oklahoma's streamlined probate. Same courthouse, compressed schedule. You qualify by meeting just one of three conditions (next page).

About 2–4 months

ROAD THREE

Standard probate

The full process, including Oklahoma's mandatory creditor notice period that alone runs about two months.

About 6–9 months

How to find out which road you're on

You don't need a lawyer for this, and you shouldn't guess. The deed is public record.

- **Look it up.** Search your loved one's name in the county clerk's online land records for whichever Oklahoma county the property sits in. You want the most recent deed and whose names are on it.
- **Look for the magic words.** "Joint tenants with right of survivorship," or a recorded "transfer-on-death deed," means road one.
- **Check for a will.** A will doesn't avoid probate — it's instructions *for* the probate. But it tells you who's meant to be in charge.
- **If you can't tell, ask.** Call the clerk's office, an attorney, or us. We look up deeds for Tulsa-area families all the time and don't charge for it.

The small estate affidavit trap. You will read online that small Oklahoma estates can skip probate with a simple affidavit. That's true — for **personal property only**: bank accounts, vehicles, belongings. **It does not transfer real estate.** If a house is in the estate with no transfer-on-death deed and no surviving joint tenant, some form of probate is your road. We've watched families lose months on this one sentence.

Don't sign anything before you know. Not with us, not with anyone. If a buyer is pushing you to "get the paperwork started" before you know how title stands, that tells you who they're working for. Any legitimate buyer will wait for you to find out.

CHAPTER TWO

Oklahoma probate, plainly

Probate has a reputation for being slow, expensive, and mysterious. Two of those are negotiable. It isn't a lawsuit, nobody is in trouble, and in most Oklahoma cases the heirs never set foot in a courtroom.

The court is doing three things: confirming who has authority to act for the person who died, making sure legitimate debts get paid, and moving what's left to the right people. For a Tulsa property, that happens in Tulsa County District Court, at the courthouse downtown on South Denver. The court appoints a **personal representative** — executor if there was a will, administrator if there wasn't — and that person can legally sign for the estate.

The fast track, and how to know if you qualify

Oklahoma's summary administration typically finishes in about **two to four months**. You qualify if **any single one** of these is true:

IF THIS IS TRUE...	WHAT IT MEANS FOR YOU
The estate is worth $200,000 or less	The whole probate estate, not just the house. Many Tulsa-area estates land under this without the family realizing.
They died more than five years ago	The one families miss most. If Mom passed in 2019 and the house has sat since, you may qualify no matter what it's worth.
They lived out of state	An Oklahoma rental or family home owned by someone who lived elsewhere often qualifies.

Everything else runs as a standard probate, commonly **six to nine months** for a clean, uncontested case. Roughly two months of that is Oklahoma's mandatory notice period for creditors — it exists so real debts can be presented, and nobody can waive it. Plan around it rather than fighting it.

You usually don't have to wait for it to finish

This is the single biggest misunderstanding we run into. Families assume the house is frozen until the judge signs the last order. Usually it isn't.

Once a personal representative is appointed, the house can typically be **sold during the probate** — under authority the will already granted, or with a court order approving that specific sale. The money goes into the estate and waits there for distribution. Sequenced well, the sale and the probate finish within weeks of each other instead of one waiting on the other.

What genuinely cannot happen: selling before a probate is opened when one is required.

"We can't afford to start probate" is often false. Many Oklahoma probate attorneys will handle an estate that includes real property on a deferred basis — paid out of the closing when the house sells, not up front. That's exactly what happened with the house on the next page. If cost is the reason your family's probate never got filed, make one phone call before you accept that as the answer.

What to bring to the first attorney call

- The death certificate (or how to get one).
- The will, if there is one — even an old or informal one.
- The property address and, if you have it, a copy of the deed.
- A rough list of other assets and any known debts, including whether there's still a mortgage.
- The names and contact information of everyone who might be an heir.

CHAPTER THREE

The tax break nobody mentions

We've met families who sat on a house for years because they were afraid of a tax bill that was never coming. This chapter exists so that doesn't happen to you.

Stepped-up basis, in one paragraph

When you inherit property, the federal tax code generally resets its "cost basis" to **the market value on the date of death** — not what the original owner paid for it. Capital gains tax applies only to what you make *above* that reset number. So a house your parents bought decades ago for very little does not carry decades of taxable gain along with it.

Worked through with real numbers

What Mom paid for the house in 1985	**$40,000**
What it was worth the day she passed away	**$160,000**
Your stepped-up basis *(this is the number that matters)*	**$160,000**
What you sell it for six months later	**$165,000**
Your taxable gain	**about $5,000**

Not $125,000. About $5,000 — and selling costs typically reduce even that. Without the step-up, the same sale would have looked like a six-figure taxable gain, which is exactly the number families are picturing when they decide to "wait a while."

Two more things worth knowing. Oklahoma has **no state inheritance tax** and no state estate tax. And the federal estate tax only applies to very large estates — far above what an ordinary family home triggers. For most Oklahoma families, inheriting a house is not itself a taxable event.

Where it gets more complicated

The concept is simple; the edges aren't. Get a CPA involved if any of these apply:

- **The house was jointly owned** — with a surviving spouse or someone else. How much steps up depends on how title was held.
- **It was in a trust.** Different trusts are treated differently.

- **Years have passed since the death.** Appreciation after the date of death is potentially taxable gain, so a long-vacant house can accumulate real gain.
- **You rented it out** after inheriting it — depreciation changes the math.
- **You moved in.** Living in it can open up other exclusions.

You also need a defensible number for the date-of-death value. A formal appraisal is the cleanest, and a retroactive one can usually still be done. Keep the documentation with your tax records.

> **We are not accountants.** We are two people who buy houses, and this is general information — not tax advice. An hour with an Oklahoma CPA costs a small fraction of what guessing wrong costs. Please spend it.

CHAPTER FOUR

What the house costs while you decide

Almost nobody adds this up. Do it once — with your real numbers — and the decision usually makes itself.

The monthly bill

Property taxes (annual bill ÷ 12)	$__________
Insurance — see the warning below	$__________
Electric, gas, water (kept on to prevent freezing)	$__________
Mowing and basic upkeep	$__________
Mortgage payment, if there's still one	$__________
Trips to check on it (gas, time, flights if you're out of state)	$__________
Your monthly cost of waiting	**$__________**

Now multiply by how many months you realistically expect this to take. That's the real price tag on "we'll deal with it later" — and it doesn't yet include the invisible cost below.

Call your insurance agent this week. Seriously. Most standard homeowner's policies restrict or exclude coverage once a home has been **vacant** beyond a set period — often around 30 to 60 days. Your loved one's policy may not cover this house anymore. Families discover this after a fire far more often than they should. Ask your agent directly: "Is this house still covered now that nobody lives there?" If the answer is no, ask about a vacant-property policy.

The cost that isn't on any bill

Empty houses deteriorate faster than lived-in ones. Nobody notices the small roof leak that becomes a ceiling. Pipes freeze. Copper and HVAC units disappear. Grass grows past the twelve inches Tulsa allows, the city sends a letter, and if it isn't handled, the city can mow, board, or clean the property — **and those costs become a lien on the house, collected like taxes**. That's how a house that "just sits there" quietly accrues thousands in debt.

Meanwhile the property tends to be worth a little less each month. That's the real math of waiting: costs going up, value drifting down, on the same calendar.

> **Out of state?** We'll drive by, take honest photos, and send them to you — no charge, no obligation, whether you ever sell or not. We'd want somebody to do that for us.

CHAPTER FIVE

When there's more than one heir

Four names on an inheritance means four opinions, four schedules, four financial situations, and usually one sibling doing all the work. The house is rarely what actually damages families. Years of unmade decisions are.

What we've watched work

1. **Pick one point person.**
   Not the boss — the coordinator. One person who talks to the attorney, gathers documents, and reports back. Decisions can still be shared; the logistics can't be.

2. **One attorney for the estate.**
   Not one per heir. The moment everyone lawyers up separately, costs multiply and the timeline doubles. If the family is genuinely in conflict that may be necessary — but don't start there.

3. **Put a date on the decision.**
   "We'll decide by March 1" beats "we'll figure it out eventually" every single time. Vagueness is what turns six months into fifteen years.

4. **Say the money part out loud early.**
   One heir needs cash now; another can wait a year for a better price. That's a real conflict and it's solvable — but only if it's spoken. It never resolves by being polite about it.

5. **Handle the belongings before the house.**
   Most family fights we've seen were about a ring, a table, or a photo album — not the sale price. Deal with the contents first, on its own schedule.

When one heir wants to keep it

Common, and workable. Usually the one keeping it refinances or takes a loan to buy out the others' shares, based on an agreed value — get an appraisal so the number is neutral rather than negotiated across a kitchen table. Put it in writing with an attorney even though you're family. *Especially* because you're family.

When one heir simply won't engage

Sometimes it's grief, sometimes it's distance, sometimes it's a decades-old grievance. During probate, the personal representative can often act with court approval even without every heir's enthusiasm. Once the house has been distributed to multiple owners, though, every owner has to sign. Oklahoma does have a court process for forcing the issue when co-owners can't agree, but it's slow, expensive, and hard on relationships — a last resort, not a strategy. Ask an attorney about your specific situation before assuming you're stuck.

The one we think about. A North Tulsa house sat empty for **fifteen years** — multiple heirs, no probate ever filed, and the family had been told probate would cost money they didn't have. It wouldn't have. Fifteen years of taxes, decline, and a house helping nobody, because of one wrong assumption nobody checked.

CHAPTER SIX

Your five options, compared

Here they are side by side, honestly — including the ones where we don't get to buy your house.

OPTION	BEST WHEN	TIMELINE	THE HONEST TRADEOFF
Keep it	The house is solid and someone in the family genuinely wants it	Ongoing	Often the best financial answer nobody considers. Requires one heir to buy out the others and take on the upkeep.
List with an agent	The house shows well or needs only cosmetic work, and you can carry it 60–90 days	2–4 months after probate clears	**Usually nets the most money.** Costs you commission, repairs, showings, and months of carrying costs.
Sell as-is to an investor	It needs real work, it's full of belongings, or the family wants it settled	1–3 weeks once you can legally sell	Lower gross price. No repairs, no cleanout, no showings, no financing falling through, and you pick the date.
Rent it out	The house is rentable and someone will actually manage it	1–2 months to prep	Real income, real work. A manager runs about 8–10% of rent. Be honest about whether anyone wants this job.
Do nothing	Rarely — but a deployment, an illness, or a live probate can make waiting legitimate	Indefinite	The expensive one. Costs run, the house declines, and "later" has a way of becoming years.

How to compare offers without getting fooled

The number that matters is **net to you, on a date you can live with** — not the gross price. When you compare a listed sale to a direct sale, subtract from the listed one:

- Agent commission
- Seller-paid closing costs
- Repair credits the buyer's inspection will produce
- The cleanout, cleaning, and any cosmetic prep
- Every month of carrying costs from Chapter 4 while it sits on the market

Sometimes listing still wins by a wide margin, and we'll tell you so. Sometimes those subtractions close most of the gap. Do the arithmetic with real numbers before you decide — and count what waiting costs you in ways that aren't dollars, because that's real too.

BEFORE — VACANT 15 YEARS

AFTER — A FAMILY LIVES HERE NOW

The house from Chapter 5. We connected the heirs with a real estate attorney who completed the probate at no upfront cost, then bought it and rebuilt it. The first thing we handed that family was a phone number, not a contract.

CHAPTER SEVEN

The 30-day plan

You don't have to solve this all at once. You do have to start. Here's a month that gets almost any stuck family unstuck — tear this page out if it helps.

Week 1 — Find out what's actually true

- [ ] **Order 3–5 certified copies of the death certificate.** You'll need more than you think, and every institution wants its own.
- [ ] **Look up the deed** in the county clerk's records. Whose name is on it, and does it say joint tenancy or transfer-on-death?
- [ ] **Find the will**, if there is one. Check the safe deposit box, the attorney who drafted it, and the filing cabinet nobody's opened.
- [ ] **Call the insurance agent** and ask directly whether the house is still covered now that it's empty. Do not skip this one.
- [ ] **Check for a mortgage** and call the servicer to tell them the owner has died. They deal with this constantly and have a process.

Week 2 — Get the professionals lined up

- [ ] **Call two or three probate attorneys.** Ask what your estate would need, roughly what it costs, and **whether they can be paid at closing** instead of up front.
- [ ] **Ask whether you qualify for summary administration** — remember the $200,000, five-year, and out-of-state paths. Just one qualifies you.
- [ ] **Call the county treasurer** and find out whether property taxes are current, and if not, how far behind.
- [ ] **Get eyes on the house.** Walk it or have someone walk it. Photograph everything, including the roof, the water heater, and under the sinks.

Week 3 — Get your numbers

- [ ] **Fill in the monthly-cost worksheet** from Chapter 4 with real figures.
- [ ] **Get a date-of-death value** for the house — an appraiser can do this retroactively — and keep it with your tax records.
- [ ] **Get two opinions on what it's worth today**: one from an agent (what it would list for) and one from a direct buyer (what it's worth as-is). Ask both to show their math.

- [ ] **Talk to a CPA** about the stepped-up basis for your specific situation, especially if it was jointly owned, held in a trust, or the death was years ago.

Week 4 — Decide, together, with a date on it

- [ ] **Get every heir on one call.** Not a group text. A call.
- [ ] **Share the actual numbers** — monthly cost, both value opinions, the probate timeline and cost. Facts settle arguments that opinions can't.
- [ ] **Sort the belongings question** separately from the house question, on its own schedule.
- [ ] **Pick an option and set a date.** Even "we'll reassess July 1" is a real decision. "Eventually" is not.
- [ ] **Write down who does what next**, and send it to everyone so nobody remembers it differently in a month.

> **If you do only three things this month:** look up the deed, call the insurance agent, and ask one probate attorney whether they can be paid at closing. Those three calls resolve most of what keeps families stuck — and all three are free.

CHAPTER EIGHT

Questions to ask any buyer — including us

If you decide to sell directly, these are the questions that separate a real offer from a tactic. Ask them of every buyer you talk to. Ask them of us.

"Have you actually walked the property?"

Sight-unseen offers have a way of getting "adjusted" after an inspection. A buyer who has physically seen the house can give you a number that doesn't move. We walk every property before we give you one — that's the whole reason ours holds.

"Can you show me how you got to that number?"

A real buyer can walk you through it: what the house is worth fixed up, what repairs cost at today's prices, holding and closing costs, and their margin. You're allowed to disagree with any line. A buyer who won't show the arithmetic is hoping you won't check it.

"Are you buying it, or assigning the contract to someone else?"

Some companies put your house under contract and then shop that contract to other investors. There's nothing inherently wrong with it — but it can slow things down or fall apart, and you deserve to know which one you're dealing with.

"Can you prove funds?"

A genuine cash buyer can show a bank statement or lender letter without drama or excuses.

"What happens if I change my mind?"

Ask before you sign, not after. Our answer: you can cancel within two business days, no penalty and no questions. Get whatever answer you're given in writing.

"Would listing this house net me more?"

Ask it directly and watch how they answer. A buyer who can't ever imagine a scenario where an agent serves you better is not being straight with you. Sometimes the honest answer is yes — and you should hear it.

> **One red flag above all others.** "This offer expires tonight." A real offer on a real house survives you sleeping on it, talking to your sister, and calling an attorney. Urgency that comes from the buyer instead of your own situation is a sales technique, not a business necessity.

When you're ready — or just want to think out loud

We're Marco and Nora Brown, both Oklahoma natives, and we're the entire company. Call us and you get one of us. We'll look up your deed, drive by the house, tell you what we'd pay and exactly how we got there — and tell you honestly when listing it or keeping it beats selling to us. No pressure, ever, and no follow-up campaign chasing you afterward.

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Call or text, any time

okienativehomebuyers.com
Guides for every situation

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Or just email us

Our two-day promise: if you ever sign an agreement with us and change your mind, you can cancel it within two business days — no penalty, no fee, no questions asked. One call or text and it's done. Nobody should be locked into a decision they made during a hard week.

Please read this part. This guide is general educational information about Oklahoma property matters. It is **not legal advice, tax advice, or financial advice**, and reading it does not create an attorney-client or professional relationship of any kind. Oklahoma laws, court procedures, timelines, and county practices change, and every family's situation has details that matter. Before making decisions about an inherited property, please consult a licensed **Oklahoma attorney** about the legal questions and a **CPA or tax professional** about the tax questions.

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