

Overbid & Court Confirmation – One-Pager (Probate)



Before the hearing

- Publish notice per statute and file proof
- Set hearing date and confirm courtroom and calendar position
- Package property summary, Probate Referee value, comps, and accepted offer terms
- Coach buyers on deposit method and bidding rules

Minimum overbid formula

- Accepted price + 10% of the first \$10,000 + 5% of the balance

Bidder requirements

- Government ID
- Cashier's check often equal to 10 percent of bid, as instructed
- Ability to sign same form contract with the same material terms

Day-of flow

- Check in early and verify funds
- Judge reads the matter and confirms terms
- Overbidding begins at the minimum overbid and proceeds in set increments
- Winning bidder signs purchase documents and deposits funds with escrow

After confirmation

- Court issues Order Confirming Sale
- Escrow opens or amends terms consistent with the order
- Title confirms PR capacity and updated instructions
- Standard contingencies are rare unless previously allowed

Practical tips

- Overbidders should pre-review disclosures and inspections where available
- Bring two checks if possible in case increments change
- Understand that court sales can close quickly after the order

Prepared by: Wolf Real Estate Team – Coldwell Banker West | Mike & Jessica Wolf | wolf@cbwhomes.com | 858-722-6847 | www.mikeandjessica.net