California Successor Trustee Checklist: First 30 / 60 / 120 Days

What to do, in order, after you're named successor trustee, with the other California deadlines called out separately.

PLEASE READ Informational only — not legal, tax, or financial advice. Trust administration involves legal duties and can carry personal liability. Consult a California trust or estate attorney and a CPA about your situation. Patrick Edgett is a licensed California REALTOR® (DRE #02100843), not an attorney or tax professional.

AT A GLANCE

DAYS 1–30	BY DAY 60	THROUGH DAY 120	SEPARATE DATES
Documents, house, EIN & attorney	**Prob. Code §16061.7 notice** *From irrevocability or starting to serve*	**Contest window** *Runs from service date, not death*	**Day 90 Medi-Cal · Day 150 BOE-502-D** *Medi-Cal if applicable · BOE-502-D is tax only, not title*

HOW TO USE THIS CHECKLIST

1. **Count from the date of death** unless an item says otherwise. The 60-day notice can start when you begin serving. The 120-day window starts when the notice is served.
2. **Act early.** Ask your attorney how a deadline that lands on a weekend or holiday counts.
3. **Check items off.** Keep copies of everything you send.

TRUST NAME _____ DATE OF DEATH _____

NOTICE SERVED DATE _____ 120-DAY WINDOW ENDS _____

DAYS 1–30 First 30 Days

Count from the date of death

- ☐ **Find the original trust, every amendment or restatement, and the will.** If you can't find them, call the drafting attorney.
- ☐ **Order several certified death certificates.** Banks, the recorder, title, and insurers often each want their own certified copy.
- ☐ **Lodge the original will, if you have it.** The person holding it has to deliver it to the superior court clerk within 30 days of learning of the death and send a copy to the named executor **(Prob. Code §8200)**.
- ☐ **Decide whether you'll serve.** You accept by signing a written acceptance or by acting as trustee, and you can reject the job in writing **(§§15600, 15601)**.
- ☐ **Inspect, rekey, and secure the house.** Photograph every room. Don't give away belongings yet.
- ☐ **Call the homeowner's insurer.** Report the death and ask in writing how the policy treats a vacant house. California's standard fire policy form can deny fire claims once a building has been vacant more than 60 consecutive days, unless the policy says otherwise **(Ins. Code §2071)**. Keep utilities on. Forward the mail.
- ☐ **Keep the mortgage, property taxes, HOA, and insurance current.** Keep receipts.
- ☐ **Get an EIN and open a trust bank account** in your name as trustee. Don't mix funds **(§16009)**.
- ☐ **Start an inventory** of what's in the trust and what's outside it.
- ☐ **Check the deed.** If the house isn't titled in the trust, pause any sale plans and call the attorney.
- ☐ **Record the Affidavit of Death of Trustee** if the house is in the trust: a sworn, notarized statement with a certified death certificate and the property's legal description attached, recorded in the county where the house sits **(Prob. Code §210)**. No statutory deadline, but title will look for it before a sale. Your attorney or title company usually prepares it.
- ☐ **Meet with a California trust attorney.**
- ☐ **Hold off on paying yourself.** Trustees can often take reasonable compensation **(§15681)**, but ask the attorney first.

BY DAY 60 The Notice You Can't Miss

From irrevocability or starting to serve

- ☐ **Calendar the §16061.7 deadline today.** It's due within 60 days after the trust becomes irrevocable, or after you begin serving if the death left the office vacant. For someone you learn about later, it's 60 days from then **(§16061.7(f))**.
- ☐ **Have your attorney draft and serve the notice** on each beneficiary and each heir, including heirs the trust leaves out.
- ☐ **Serve it by a permitted method** — mail or personal delivery under **§1215**. Keep proof. Each service date starts that person's contest clock.
- ☐ **If you're late, serve it now.** The contest deadline still runs once someone is served, even late **(§16061.8)**. Ask your attorney.
- ☐ **Keep beneficiaries reasonably informed** as you go **(§16060)**.

GOOD TO KNOW The 60 days is a deadline to get the notice out. It isn't a waiting period before you can do anything else. The notice doesn't have to include a copy of the trust, but it has to say the recipient can request one.

THROUGH DAY 120 The Contest Window

Runs from each service date, not from death

- ☐ **Calendar each recipient's contest deadline:** 120 days from service, or 60 days after that person receives the trust terms during the 120 days, whichever is later **(§16061.8)**.
- ☐ **Hold off on large distributions and on listing or closing a sale** until your trust attorney has walked you through the risk **(§16061.9(c))**. Nothing in the statute bans a sale inside the window; it's a risk call to make with your attorney.
- ☐ **Get a date-of-death valuation of the house.** It supports stepped-up basis later. Patrick's free date-of-death valuation is a written REALTOR® estimate, not a formal appraisal. Ask your CPA whether you also need one from a licensed appraiser.
- ☐ **Keep up maintenance and insurance,** and log expenses.
- ☐ **Gather facts for keep vs. sell vs. buyout:** value, carrying costs, and whether a child would actually move in.
- ☐ **If a child wants to keep the house as a principal residence,** ask the attorney about Prop 19, including the one-year homeowners' exemption filing. For transfers Feb. 16, 2025, through Feb. 15, 2027, the exclusion's add-on amount is $1,044,586 **(BOE, checked Nov. 19, 2026)**. A sale to an outside buyer is a different analysis.
- ☐ **If a beneficiary is living in the house,** don't improvise a rent-free arrangement. Get legal advice.

SEPARATE DATES Also on Your Calendar

These aren't 120-day deadlines

- ☐ **150 days after death: file the BOE-502-D** (Change in Ownership Statement) with the assessor or recorder in each county where the decedent owned real property **(Rev. & Tax. Code §480(b))**. It's required even if the house was in a trust, and it doesn't change title.
- ☐ **90 days after death, if Medi-Cal may have been involved** (including for a surviving spouse of a recipient): ask the attorney about the required notice to the Department of Health Care Services **(§§215, 19202)**.
- ☐ **Tax returns** for the decedent and the trust go on your CPA's calendar.

INLAND EMPIRE COUNTY RECORDING REFERENCE

San Bernardino County (including Redlands), Assessor-Recorder-Clerk document recording:
arc.sbcounty.gov/document-recording/

Riverside County ACR recorder sample documents, including an "Affidavit - Death of Trustee" form:
rivcoacr.org/RecorderSampleDocuments

Check those pages for current fees and phone numbers.

NEXT STEPS & FREE DATE-OF-DEATH VALUATION

inheritedhomeexpert.com/date-of-death-valuation
A written REALTOR® estimate built from comparable sales around the date of death, typically in 24–48 hours (not a formal appraisal).

Full selling guide:
inheritedhomeexpert.com/blog/successor-trustee-selling-trust-house-california

Questions: text or call **(909) 499-6997**

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