

Heir Property Basics: A Guide for Families and Property Owners

Heir property is land or real estate that has been passed down through generations, often without a will or formal probate. This can result in multiple people owning fractional interests in the property—some of whom may not even know they are owners. Without clear title, no one can sell, mortgage, or legally manage the property.

What is Heir Property?

Heir property typically arises when someone dies without a will, and their property passes according to state intestacy laws. Over time, this can result in dozens of heirs sharing ownership, especially if the land is never probated or retitled. Heirs may include descendants, siblings, nieces, nephews, and more.

Common Problems with Heir Property

- No one has clear title
- Property cannot be sold, mortgaged, or developed
- Disputes among heirs about use or maintenance
- Risk of partition lawsuits or forced sale by one heir
- Uncertainty about who is responsible for taxes

Legal Solutions to Heir Property Issues

- Title and Ownership Research
- Quiet Title Actions
- Partition Actions (by sale or in-kind)
- Voluntary Buyouts and Family Settlements
- Mediation and Heir Agreements

How Klosinski Overstreet LLP Can Help

Our firm has developed a proprietary program that calculates each heir's precise percentage of ownership. We also work with professional genealogists to identify all possible heirs and resolve title issues.

We offer experienced guidance through every step—from research and negotiation to court action—so you can make informed decisions about family land.

Klosinski Overstreet LLP

Contact Us

If you're facing heir property issues, contact Klosinski Overstreet LLP today to schedule a consultation.

Website: www.klosinski.com

Phone: 706-863-2255

Email: info@klosinski.com