

BEXs

#QuickFacts

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SALE OF A PROPERTY FROM A DECEASED PERSON'S ESTATE

The legal requirements that ordinarily apply to the sale of land also apply to property that is sold out of a deceased estate, namely that the agreement must be recorded in writing and be signed by both the seller and the buyer, either personally or by an agent authorised in writing to sign on that party's behalf.

Who has the authority to sign on behalf of a deceased person's estate? Only an executor whose appointment has been confirmed by the Master of the High Court (in the form of a document called 'Letters of Executorship') may deal with the assets and liabilities of a deceased's estate. A sale agreement signed on behalf of a deceased person's estate by anyone other than the executor so appointed is void.

A more detailed discussion on the conveyancing process involved when attending to the transfer of a property from a deceased person's estate, can be accessed [here](#).

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