



## Ohio Revised Code

### Section 2127.012 Disposal of real estate.

Effective: April 6, 2017

Legislation: House Bill 432 - 131st General Assembly

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(A) In addition to the other methods provided by law, a guardian of the estate may sell at public or private sale, grant options to sell, exchange, re-exchange, or otherwise dispose of any parcel of real estate belonging to the estate at any time, at prices, and upon terms that are consistent with this section, and may execute and deliver deeds and other instruments of conveyance if all of the following conditions are met:

(1) The ward's spouse and all persons entitled to the next estate of inheritance from the ward in the real property give written consent to a power of sale for a particular parcel of real estate or to a power of sale for all the real estate belonging to the estate. Each consent to a power of sale provided for in this section shall be filed in the probate court.

(2) Any sale under a power of sale authorized under this section shall be made at a price of at least eighty per cent of the appraised value, as set forth in an approved inventory, if the real estate was appraised within two years prior to the filing of the consents. If the value of the real estate in an approved inventory was not determined by an appraisement, or the appraisement was completed more than two years prior to the filing of the consents, the real estate shall be appraised and a sale shall be made at a price of at least eighty per cent of the appraised value.

(3) No power of sale provided for in this section is effective if the ward's spouse or any next of kin is a minor. No person may give the consent of the minor that is required by this section.

(4) Upon filing the consents under this section, the guardian shall execute such bond or additional bond payable to the state in an amount that the court considers sufficient, having regard to the amount of real property to be sold, its appraised value, the amount of the original bond given by the guardian, and the distribution to be made of the proceeds arising from the sale.

(B) A ward's spouse who is the guardian of the estate may sell real estate to self pursuant to this section.