

PURCHASE REAL PROPERTY

GUARDIANSHIP OF \_\_\_\_\_  
CASE NO: \_\_\_\_\_  
DATE: \_\_\_\_\_

**LEGAL STANDARD:** '744.441, FS, purchase of property requires court approval, only as a residence for the ward and / or ward=s dependents; '744.447, FS, petition for authorization to act; '744.451, FS, - order requirements for sale or mortgage of property; FPR 5.630 petition for approval of acts

**LEGAL REQUIREMENTS:**

- \_\_\_ Petition verified by guardian [5.610(e), 5.630(a)]
- \_\_\_ States whether the ward has been adjudicated incapacitated to act wit respect to the rights to be exercised [744.447(1), 5.630(a)(4)]
- \_\_\_ States whether the action requested conforms to the guardianship plan [744.447(1), 5.630(a)(5)]
- \_\_\_ Facts showing necessity for purchase: must be a home for the ward or dependents: \_\_\_\_\_ [744.447(1), 5.630(a)(1)]

Who else will be living in the home, other than the ward? Are they dependents and if not, what are they contributing to the purchase, or what contract is in place for them to pay rent?

- \_\_\_ Legal description of the property [744.447(1), 5.630(a)(2)]
- \_\_\_ Price and terms of sale [744.447(1), 5.630(a)(3)]
  - \_\_\_ Copy of proposed contract
- \_\_\_ Notice to Ward unless ward is under 14 or totally incap. [744.447(2), 5.630(b)]

\_\_\_ Next of Kin & interested parties requesting notice of proceedings [744.447(2), 5.630(b)]. NEXT OF KIN:

Name	Relationship	Name	Relationship

- \_\_\_ Appraisal; Value \$ \_\_\_\_\_
- \_\_\_ Order describes the permitted act and authorizes the guardian to perform the act [744.451(2), 5.630(c)(1)]
- \_\_\_ Order describes property and specifies the price and terms of sale. If sale is public, order shall state that the sale shall be made to highest bidder and that court reserves right to reject all bids. [744.451(1)(a)&(b), 5.630(c)(2)]

COMMENTS: \_\_\_\_\_

**RECOMMENDATION:** \_\_\_\_\_