Phoenix Estate Planning Lawyer Warns People that Putting Their Child on Their Home Title Can Cause Them to Pay More in Taxes

January 16, 2024

SCOTTSDALE, AZ - January 16, 2024 -
Phoenix estate planning lawyer Libby Banks has recently released a blog post that warns people from putting their adult child or children on their home title as a way to avoid probate in the event of their death. She disagrees with this plan as it has many pitfalls, one of which is that the child may have to pay more in capital gains tax. In Phoenix, there has been substantial increases in real property values, which means potential gains are significant. Putting the child as a co-owner will cause them to pay a large amount in capital gains tax when they sell the property after the owner?s death.

Libby Banks says, ?Saving your children from taxes is one very good reason not to put them on title during your lifetime. Instead, think about creating an estate plan with a revocable living trust to allow your child to easily inherit the property on your passing with no probate court proceeding. They save taxes, time, and money on wrapping up your estate.?

According to Libby Banks, another reason to avoid putting the name of the child on the home title is to ensure that one has full control over one?s home. With someone else on the title, the owner loses full control of the

property. For instance, selling the property would need the child?s signature and the problem occurs when the child doesn?t want to sell it. Without the child?s consent, the owner is unable to proceed with what they want to do with the property.

Libby Banks wants to emphasize that putting a child?s name on the home title is the wrong way to achieve the goal of avoiding probate in the event of one?s death. The Law Office of Libby Banks, PLLC can help in crafting a plan for avoiding probate while allowing the client to keep control of the property and saving the children taxes in the future.

Libby Banks? areas of practice are: estate planning, asset protection, last will and testament, revocable living trust, other trusts aside from the revocable living trust, and avoiding probate. They offer estate planning in Scottsdale and Phoenix that is highly personalized to meet the client?s unique personal goals and values, assets, and family situation. As experienced estate planning lawyers, they will guide the client through this complex process, including asking questions that the client may not even have considered.

The revocable living trust is not just important for a number of estate planning needs, but it can also help in avoiding probate. By putting the client?s various assets in the revocable living trust with the client as trustee, the client retains control of those assets while still alive and competent. It is also important to designate who will be in charge of the assets in the event that the trustee is unable to manage things any longer, either through incapacity or death. The trust also specifies how the successor trustee will manage the trust assets and how to distribute money for the client?s benefit if incapacitated. It also details the instructions for wrapping up the estate and distributing the assets at death.

Founded in 2013 by Libby Banks, The Law Office of Libby Banks, PLLC specializes in estate planning. She has set as her goal to help protect her clients and their family with the appropriate estate plan, including the preparation of trusts, wills, and powers of attorney. She started her career as a litigator in Oklahoma City where she briefed a case that was presented to the US Supreme Court, and she has represented high-profile clients. She moved to Phoenix in 2000, still working as a litigator. After handling several contested probates in Arizona, she decided to open her own firm in 2013. She is licensed to practice law by the State Bar of Arizona, State Bar of Oklahoma, State Bar of Kansas, and the US Supreme Court.

Those who require the services of a probate lawyer can check out The Law Office of Libby Banks, PLLC website or contact them through the phone or by email.

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The Law Office of Libby Banks, PLLC

Attorney Libby Banks specializes in Estate Planning, Probate, and Trust Administration. Her team, known for being experienced, offers precise estate planning services. Clients enjoy gaining peace of mind and feeling well-cared for throughout the process.

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