



THE LAW OFFICES OF
**SAMANTHA
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LLC
Providing mindful legal direction

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Newsletter

Did you know!!

Squids have beaks. The beak is made of keratin, the same material that a bird's beak and our fingernails are made of.



Llamas can be used as guards against coyote attacks on sheep herds. Studies have proven that just one guard llama is an effective protector and can even kill the attacking coyotes.

**20 East Sixth Street, Suite 206,
Waynesboro, PA 17268**

Monday through Friday 8:30 am to 4:30 pm



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Blog from the Boss (Or Basically Sam's Humble Musings):

What if my spouse passed away, is there anything I need to do?

A lot of times we'll represent husband and wife for their estate planning. When the first spouse passes away, the surviving spouse often asks, "Do I need to do anything?" The answer to that question depends on how your assets are titled and what assets are individually owned at death. If husband passes away, but husband had a retirement account titled in his name, even if he named his wife as the primary beneficiary, the wife is still required to file Pennsylvania inheritance tax return. There is no tax because it goes to wife at husband's death, but we do have to disclose it to Pennsylvania. If there are certain assets that were jointly owned or had a beneficiary designation, the deceased spouse's estate does not need to be probated to transfer the assets. If the house is jointly owned, the house is automatically wife's asset at husband's death. The title vests in her and she becomes the 100% owner when husband dies. If husband was the only person who owned the real estate and the real estate was titled in only his name, then at his death the only way that the real estate can be transferred is through the probate process.

Does my county allow virtual probate? What if I have a loved one that passed away and I've never done a virtual probate?

Most counties in Pennsylvania now allow virtual probate. Previously, if you needed to probate a loved one's estate, you would have to travel to the courthouse to be sworn in as the executor or personal representative. Technology has now provided us with the virtual probate option. With virtual probate, you are welcome to come to our office, and we can facilitate the virtual probate. Our job is to prepare the paperwork needed for the probate prior to the virtual probate. During the actual virtual probate, the executor or personal representative gets sworn in, takes the oath, and signs the petition in front of the camera. The courthouses are doing a great job facilitating these virtual probates.

Upcoming Virtual seminars:

❖ **April 13, 2023 @12-1pm: "Tax Stuff"**

❖ **May 18, 2023 @12-1pm: "Things Your Mother Should Have Told You"**

❖ **June 15, 2023, July 13, 2023, August 17, 2023 @ 12-1pm: We will be featuring fun videos from our Centerpieces with the niece's series.**



Partnering with the Pro's: Kaleb Hurley, Hurley Auctions, Auctioneer/Realtor/Appraiser

Hurley Auctions is located at 2800 Buchanan Trail East in Greencastle Pennsylvania. You can reach them at 717-597-9100. They are a full-service professional auction company. They actually started off as a small family business and they have become recognized in our community as well as across the nation to be a premier professional auction company that helps our clients. They strive to bring the best possible results for their clients which are also our clients. They have successfully conducted over 4000 auctions. The Real Estate Division has sold hundreds of millions of dollars' worth of real estate from the east coast all the way over to California. The commercial division has sold millions of dollars' worth of assets from aircraft, manufacturing machinery, medical equipment, to restaurants and contractor equipment.

Sam – Hi Kaleb! Tell us about Hurley Auctions.

Kaleb –This summer we will have been in business 30 years. We have been fortunate to have been in business as long as we have been. When we started, we just started selling things at our auction house. We had a weekly consignment auction where people would bring items in, or we would pick the items up and we would sell them at a weekly live auction. We did that for a long time, years, and years. As the world changes as many of us know technology advances, so we have now turned to online auctions most of the time. For the last ten years we have been doing online auctions. We do still offer live auctions, but once we talk to our clients generally the route they decide to take is to do an online auction. The majority of the world is on social media and technology. So instead of selling things live with a crowd now we can sell things online. We actually just did an auction last night in Waynesboro, it was an online auction. Had we done it live we may have gotten maybe a hundred people there, but because it was online, we ended up having over 460 registered bidders. The advantages are incredible because you can find so many more people. That is how things are really starting to change for the auction house. It has been an incredible change in the industry over the last couple of years.

Sam – Tell us about Hurley Auctions mission.

Kaleb –Part of our mission is to make sure our client is satisfied. If they aren't satisfied, then we are not satisfied. Fortunately doing online auctions we can get a greater grasp on what the market is, which helps to maximize the value of those assets and ultimately satisfy our client by getting top dollar for what they own.

Sam – Hurley Auctions sells personal property and real estate. Are you doing online auctions for one of those, both of those? How is that working?

Kaleb –Generally, with the personal property we primarily do the auction online. When it comes to real estate, we mostly do those live. It is something we love to do live. There are some advantages outlined that we like to do them live for those reasons, but we have done some online real estate auctions. Obviously with the real estate we offer traditional real estate services and online auctions services which benefit our clients depending on what their needs are, but most of the time when it comes to online auctions that would be referring to personal property division.

Sam –Let's say I have my house full of stuff and you guys are coming out to talk to me about what I can sell. Should I pack things up before? Am I organizing things before you come out or am I letting it sit where it is?

Kaleb – We like when you let everything sit right where it is. A lot of times people folks are moving and the things you aren't moving we would recommend you leave them right where they are at because in the case that

we can do an online auction at your property we can leave everything right where it is at. Your kitchen cupboards can be left full, we can leave the drawers full, we can leave the closets full. We just need to make sure we stage items where they look best. If there is a picture hanging on the wall, when we sell that picture, it helps someone to visualize what that picture will look like in their home compared to if it is laying on the floor. We really try to leave everything right where it is at. And the more that we touch and move things the more that it costs, and we try to keep everyone's costs down because we want them to be satisfied with their end result. So, whenever we can leave something where it is sitting it keeps the cost down and keeps the clients happier.

Sam –If you are coming into my house, it is not like you are going to say “Sam, come up with a description of all of these items.” You are the ones taking the pictures and imputing all that information, correct?

Kaleb – That's right. We have team members very experienced when it comes to descriptions. We have multiple people who are willing, able, and capable to do that who have been with us for a long time. Then when it comes to pictures, we have a couple of people that take our pictures and do a fantastic job. So don't worry about that your job is to relax and let us know any necessary information we might need to know but apart from that we can take care of it, handle it, make sure you relax in the process.

Sam –If I asked you to tell me three things that are hot right now and are selling well, what do you think those top three things would be?

Kaleb –We sold a vinyl record lot for over a thousand dollars just a little bit ago, so those are hot. Something else that is selling well is mid-century furniture. Mid-century furniture has been out of style for a long time, but good midcentury furniture is starting to come back into style. Coins are selling well for us, but I am not sure that is considered a hot item. Coins are an interesting market; coins go up and down depending on the market like precious metals.

Sam – Let's say we have a real estate auction, how long does the auction itself actually take?

Kaleb – That is a unique question but usually the auction itself only takes about 15-20 minutes. It is a very quick auction. We make sure we walk everyone through the process that is there to bid, and we explain everything very well. The reality is that it is usually very quick. Usually between 15, 20, 25 minutes we are wrapped up. The nice thing is that we already have the contract signed and we are preparing for settlement, so usually when we get to the auction day it is a quick process.

Sam –Can I reserve a certain amount on the property or say I don't want to sell it for less than this a certain amount?

Kaleb – Absolutely. The majority of the auctions we do people can set a reserve because there is no risk to selling your property at auction. You can set a reserve, if it doesn't bring your price, you are not obligated to sell. That is one of the benefits of selling at auction. Now there are absolute auctions that were we sell it regardless of price but sometimes that is good and sometimes it is not. But a reserve auction you set the price and if it doesn't bring you price you don't have to sell. There is virtually no risk associated.

Sam – How do you get bidders come to a live auction?

Kaleb –We have been fortunate because we have sold thousands of properties that when it comes to selling properties, we know people who buy properties. We might know someone that will say we know that this person would be interested, or we know that this person has a friend who would be interested. Because we have sold thousands of properties, we have so many connections that benefits our sellers.

I will just give you a quick example. We sold a farm down in Clear Spring Maryland, and a farm is a unique property to sell, but we knew the people who would be interested in that farm. We knew exactly who they were, so we made direct contact with them. We gave them a private tour of the property and that property ended up bring a million dollars more than we ever dreamed it would bring but it was because of those connections that we found. Those of some of the benefits that we are able to bring to our clients when selling with Hurley Auctions.

Sam –If you try to sell a house at auction or any reason you don't sell it you guys are realtors and you can sell it traditionally too, correct?

Kaleb – Absolutely. Now we are very successful at selling properties at auction. We have sold multiple this year and every single one has sold on the day of the auction. It has been extremely successful. But on the special circumstances that it doesn't sell on the day of the auction we are realtors; we can continue to market your property and usually in a short amount of time we can get it under contract.

Sam –Why do I want to auction my real estate? What are the pros versus cons? Why would I do that versus a more traditional listing?

Kaleb –We just sold a property that was a beautiful 136-acre farm in Fulton County PA. We had successful open houses, and we had over 30 people through the open house. The day of the auction we had 26 registered bidders. We found 26 unique people that wanted to buy that property. Where if we had listed it traditionally, we might have limited ourselves to just a couple people or maybe we would have accepted an offer just one day after it went on the market but just think how many more people would have found out about the property if we had not taken that offer. And we would have probably listed it for less that it brought. So, 26 registered bidders and it ended up selling for \$270,000 more than the seller's reserve. Had we listed it, we would have listed it for less than it brought, and we would not have opened it up to the greatest market. The exposure that we get, if you have multiple bidders, it forces them to compete, and everyone wants to win. Generally, a house will bring more if we sell it that way. The other benefit is that it sells as is. There are no contingences and no required repairs. Sometimes we sell a house where the buyer was requesting significant repairs including a new septic and a new well. That would have cost \$40,000 plus. When we sell it at auction it is sells as is with no contingencies. Those are some of the benefits.

Sam – So, normally when I sell my house the buyer might request certain inspections so does that happen at auction?

Kaleb – An auction is not contingent on any inspections. The buyer can't say after the auction "You know what I found this, so I am not interested." It is not contingent on inspections, and it is not contingent on financing. An auction forces the buyers to be qualified.

Sam – So it is not going to fall through because somebody does not have the financing?

Kaleb – It could fall through, but it is unlikely. Of the thousands of we have done I could probably count on one hand how many times it has happened. So, it is very unlikely that it would fall through.

Sam – Tell me about how you guys are paid for your services.

Kaleb – Generally we work on a commission basis and that is how it works both on the personal property as well as the real estate.

For more information or to view this video in its entirety, please go to our YouTube channel. The specific link for the Hurley Auctions video interview: <https://youtu.be/nz45rxOzXkw>.