

461-135-0838
Administering Estate Claims

Effective 1-27-11 – Minor Correction

- (1) When the Department has a claim against the estate of a deceased person, EAU will be responsible for recovering the claim from the estate.
- (2) EAU may take necessary action to identify or otherwise preserve assets so they will be available for claims against the estate.
- (3) EAU will determine the most cost-effective way to dispose of real and personal property. EAU may dispose of the property by conducting sales through licensed real estate brokers, public auctions, competitive bidding, or other methods found most cost-effective.
- (4) When property has been disposed of, EAU will credit the proceeds to the Department's claim. Any amounts exceeding the claim will be available to all other claims against the estate. If no other claims exist, any excess amounts will be paid to the heirs or devisees, if any. Any remaining amounts revert to the Division of State Lands.

Statutory/Other Authority: ORS [113.145](#), [130.370](#), [410.070](#), [411.060](#), [411.070](#)

Statutes/Other Implemented: ORS [411.060](#), [411.070](#), [411.404](#), [411.710](#)

There are no previous rules dated January 1, 2014 or later.

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