

Aging father no longer maintains cleanliness inside his home

By Ilyce Glink and
Samuel J. Tamkin

Tribune Content Agency

Q: My retired, intellectual, in-good-health, father lives alone in Florida. His home is in a nice neighborhood. From the outside everything looks fine but my father owes more on his home than it's worth.

My real concern is what is going on inside of the home. At one time, the home was lovely. But my dad no longer cleans, and a person can barely walk through much of the house.

You can't enter the dining room because of piles of bags. He has a dishwasher but does not wash dishes. He disposes of garbage but leaves containers that still have food remaining in them in the kitchen.

What would be the consequences to me if something happens to my dad? It would take a big crew and money to clean and prepare the home for sale,

and it is unlikely he will leave any money for the task. Could the city in which he lives force me to pay real estate taxes on the home and prepare it for sale? Should the home be sold at auction?

A: You say your father is in good health and otherwise seems fine, but his behavior seems unusual, even for those who are aging and living alone.

It seems that there is more going on with your dad than what you've written. And, we suggest you look into it because while your question (which we'll answer in a moment) has to do with what happens after your dad passes away, what's going on isn't healthy. If the house is no longer clean and sanitary, it could be a sign of mental illness or other problems.

We'd like you to sit down with your father and discuss his situation. If his mind is in good shape, try to find out what's going on in his life. If he's fine but going through a tough period emotionally or suffers from depression,

you might want to hire someone to help him out on a part time basis. Even a house cleaning service could help a bit to keep the house clean. And, you and your siblings could spend a weekend throwing stuff out or giving stuff away.

Your father may live in such an area but he still needs a place to live. What you describe could be a recipe for disaster and could be detrimental to his health. From our viewpoint, we'd prefer to see you and your family be proactive to help your father's living situation than wait until he dies to take care of the real estate issue. The more important issue is his health and having a clean, safe place to call home.

Now, let's move onto your question. While you say that your dad owes more on the home than the home is worth, we'd like to have you do a bit more research to make sure that's still the case.

In some places, real estate

values have stayed flat (at a lower level) after the Great Recession and have not recovered. This is true for neighborhoods around Las Vegas, and pockets of areas in parts of California, Arizona, Michigan, Florida, and other cities

or states. But in many parts of the country, home prices have risen tremendously and we're in a strong sellers' market in

low to moderate price ranges in most metro areas.

Now, if you decide to do nothing, after your dad dies, title to his home will pass on to his kids or heirs accordingly to his will or according to the laws of the State of Florida. But the heirs can elect not to accept to inherit the home.

Your father's estate, however, would still be liable for expenses and the payment of the existing mortgage on the home. At that point, if the mortgage payments don't get made to the lender, the

lender would have the right to foreclose on the home and sell it to satisfy all or a portion of the debt still owed on the home. There could also be issues if he doesn't pay his property taxes. The home could be sold for the back taxes, although this is less likely if there is no equity in the property.

Likewise, the municipality has an action for code violations against the owner of the home and if you don't inherit the home, you would not become liable for citations against the home.

In any of these cases, we'd prefer to see both you and the family help your dad out and improve his living conditions. He still needs a place to live, and if he can handle living alone and is happy living alone, you should do what you can to help him out now. If you can help out, some of the other issues surrounding the condition of the property may improve over time as you and other relatives work to fix the issues in the interior of the home.

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