

NJ PROPERTY TOOLKIT

# New Jersey Estate Debt & Creditor Claims Workbook

NJ Property Toolkit - Workbook No. 6

A print-ready workbook helping New Jersey executors, administrators, heirs, and families organize estate debts, creditor claims, statutory priorities, disputed balances, property obligations, and payment decisions.

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Matching guide	New Jersey Probate and Estate Property Resources
Prepared for	New Jersey estate debt and creditor claim planning
Edition	v1.0



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A print-ready workbook helping New Jersey executors, administrators, heirs, and families organize estate debts, creditor claims, statutory priorities, disputed balances, property obligations, and payment decisions.

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## Educational use

This workbook is an educational planning tool designed to help organize documents, deadlines, questions, discussions, and information. It is not legal, tax, accounting, financial, or investment advice and should not replace guidance from licensed professionals.

Our role is to help people understand complicated residential property situations, simplify the process, coordinate experienced professionals when appropriate, and help families move forward with greater clarity and confidence—not replace the advice of licensed professionals.

Complex residential property situations often require several professionals working together. Depending on the circumstances, Viera Investment Group LLC may help coordinate the property-related process with experienced attorneys, title companies, loan servicers, lenders, estate professionals, municipal offices, contractors, Realtors®, accountants, financial professionals, and other licensed specialists.

# Welcome

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Estate debt work is more than collecting bills. A New Jersey personal representative may need to identify probate assets, confirm legal responsibility, document when claims were presented, preserve secured property, classify valid obligations, and avoid premature distributions.

Use this workbook as one control file for claims, notices, supporting documents, disputed amounts, statutory priority questions, estate cash, real-property obligations, professional advice, and payment approvals.

## Who this workbook is for

- Executors and administrators handling a New Jersey estate.
- Heirs or beneficiaries helping organize mail, accounts, property bills, and creditor communications.
- Attorneys, accountants, title professionals, and family coordinators reviewing an estate debt file.

## Use this first

- Open and preserve estate mail, statements, envelopes, contracts, judgments, tax notices, and collection letters.
- Separate debts secured by property from unsecured claims and ordinary household bills.
- Do not promise payment, negotiate personally, distribute assets, or pay lower-priority claims before qualified review when solvency is uncertain.
- Record every date exactly and confirm legal deadlines with a New Jersey probate attorney.

# How to Use This Workbook

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Work from evidence, not assumptions. Update the master claim register after every letter, call, document request, objection, payment, settlement proposal, property event, or professional review.

## Recommended order

- Confirm the personal representative, date of death, probate assets, estate account, and property interests.
- Create the creditor and recurring-obligation inventory before approving anything.
- Log the presentation date, amount, basis, supporting proof, security, and current status of each claim.
- Classify priority only with the statute and professional guidance, especially when assets may be insufficient.
- Compare estate liquidity with reserved expenses, taxes, property costs, and unresolved claims.
- Document approvals, payments, denials, settlements, and beneficiary communications.

## Important limits

- The commonly discussed nine-month period under N.J.S.A. 3B:22-4 is not a substitute for case-specific legal advice or a complete claim review.
- A secured creditor may have rights against collateral that differ from an unsecured estate claim.
- Joint debt, guaranties, taxes, Medicaid recovery, judgments, liens, business obligations, and disputed claims require individual review.

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# Estate Debt and Claim Overview

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A useful estate debt file distinguishes the claim, the claimant, the legal basis, the property or account involved, the evidence, the date presented, and the source of payment.

## Four questions for every obligation

- Is this legally an obligation of the decedent, the estate, another person, or specific collateral?
- Was the amount supported by statements, contracts, invoices, judgments, tax records, or other evidence?
- When and how was the claim or demand received, and what response was made?
- What priority, reserve, approval, payoff, objection, or court process applies before payment?

## New Jersey timing and priority

- N.J.S.A. 3B:22-4 addresses claims presented within nine months after death and the personal representative's protection when assets are paid or distributed before a later claim is presented. Confirm how it applies to the estate.
- When applicable estate assets are insufficient, N.J.S.A. 3B:22-2 supplies an order of payment. Do not improvise the order or assume every lien is governed only by that list.
- Keep estate administration expenses, taxes, final-illness expenses, judgments, secured obligations, and general unsecured claims clearly separated for review.

# Estate Authority and Asset Snapshot

Start with the authority and assets actually available to the estate. Non-probate transfers and encumbered property can change the practical payment analysis.

DECEDENT	DATE OF DEATH
COUNTY	DOCKET / ESTATE NUMBER
EXECUTOR / ADMINISTRATOR	LETTERS ISSUED DATE
ESTATE ATTORNEY	ESTATE ACCOUNT
ESTIMATED PROBATE ASSETS	ESTIMATED SECURED DEBT
ESTIMATED UNSECURED CLAIMS	ESTIMATED TAXES AND EXPENSES

## Document checklist

- Will and codicils
- Letters Testamentary or Administration
- Death certificates
- Estate account statements
- Asset inventory
- Deeds and title records
- Loan statements
- Tax notices

Document	Where it is	Who has it	Next step
Will and codicils			
Letters Testamentary or Administration			
Death certificates			
Estate account statements			
Asset inventory			

Document	Where it is	Who has it	Next step
Deeds and title records			
Loan statements			
Tax notices			

# Master Creditor and Claim Register

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Enter every known or possible obligation, even when the amount, validity, priority, or responsible party remains uncertain.

TOTAL ASSERTED

TOTAL APPROVED

---

TOTAL DISPUTED

TOTAL PAID

---

Creditor / claimant	Account or basis	Amount	Received	Status

DATE CONTROL

# Mail, Notice, and Presentation Log

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Preserve the full communication and envelope. Record receipt and presentation facts without deciding the legal effect yourself.

NINE-MONTH CALENDAR DATE

CALCULATED BY

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ATTORNEY CONFIRMATION DATE

OPEN DEADLINE QUESTIONS

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Date	Sender	Delivery method	Claim / notice	Next step

# Claim Documentation Review

Use one copy of this page for each material claim. Do not alter originals.

## Checklist

- Statement or itemization included
- Contract, note, invoice, or judgment located
- Interest and fees explained
- Payments and credits reflected
- Identity and authority of claimant verified
- Security or collateral identified
- Joint obligor or guarantor issue identified
- Written professional review requested if needed

CREDITOR

CLAIMED AMOUNT

ACCOUNT NUMBER

DATE RECEIVED

NAMED OBLIGOR

CLAIM BASIS

ORIGINAL CREDITOR

CURRENT COLLECTOR

DISPUTED AMOUNT

REVIEW OWNER

### MISSING EVIDENCE, DISCREPANCIES, AND FOLLOW-UP

# Secured Debt and Collateral Tracker

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Mortgages, vehicle loans, tax liens, judgment liens, and other secured obligations may involve rights against collateral in addition to any estate claim.

PAYOFF REQUESTED

LIEN / TITLE SEARCH DATE

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INSURANCE CONFIRMED

PROFESSIONAL REVIEW

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Collateral	Secured party	Balance	Status / deadline	Plan

# Real Property Obligation Worksheet

Keep current property obligations separate from pre-death claims so the family can see carrying costs, liens, and preservation needs.

PROPERTY ADDRESS	TITLE OWNER
OCCUPANCY	ESTIMATED VALUE
MORTGAGE BALANCE	TAX BALANCE
MUNICIPAL LIENS	HOA / CONDO BALANCE
INSURANCE STATUS	MONTHLY CARRYING COST

Obligation	Payee	Amount due	Due date	Action / proof
Mortgage				
Property tax				
Insurance				
Utilities				
HOA / condo				
Municipal charges				
Security / repairs				

# Statutory Priority Classification

Use this page only as an issue-spotting organizer. Confirm classification, reasonableness, federal or state preferences, lien rights, and proportional treatment with counsel before paying an estate that may be insolvent.

N.J.S.A. 3B:22-2 class	Claimant	Amount	Verified	Review note
Reasonable funeral expenses				
Administration costs and expenses				
Office of Public Guardian services				
Preferred federal or State debts and taxes				
Reasonable last-illness medical expenses				
Judgments by entry priority				
All other claims				

PRIORITY, REASONABLENESS, LIEN, AND PROPORTIONAL-PAYMENT QUESTIONS

# Estate Solvency and Liquidity Review

An estate can own valuable property and still lack cash for administration, taxes, preservation, and claims. Use verified values and conservative reserves.

TOTAL AVAILABLE ASSETS	ADMINISTRATION RESERVE
TAX RESERVE	PROPERTY RESERVE
APPROVED CLAIMS	DISPUTED / CONTINGENT RESERVE
ESTIMATED SURPLUS OR SHORTFALL	REVIEW DATE

Estate resources	Estimated value	Available now	Restriction / timing
Cash and estate accounts			
Personal property			
Real-property equity			
Expected refunds / proceeds			
Other probate assets			

# Disputed, Contingent, and Late Claims

Do not ignore a questionable or late demand. Document it, preserve the evidence, and obtain advice about allowance, rejection, negotiation, litigation, reserve, or court review.

## Checklist

- Amount or calculation disputed
- Identity or ownership of claim unclear
- Claim may be contingent or not yet due
- Statute-of-limitations question
- Nine-month presentment question
- Secured or lien rights unclear
- Setoff, insurance, or co-obligor issue
- Counsel review documented

Claim	Issue	Amount at risk	Response date	Next review

# Creditor Communication Log

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Keep communications factual. Avoid personal promises or admissions, and confirm important requests and agreements in writing.

Date	Creditor / contact	Method	Discussion	Follow-up

# Payment and Settlement Approval Log

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Record the authority, source, supporting proof, and final disposition for every payment or settlement.

ESTATE ACCOUNT RECONCILED THROUGH

UNCLEARED PAYMENTS

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SETTLEMENTS AWAITING RELEASE

NEXT ACCOUNTING REVIEW

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Payee	Approved amount	Authority / reviewer	Payment date	Proof

# Distribution Holdback Planner

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A distribution decision should account for unresolved claims, taxes, property carrying costs, professional fees, accounting work, and possible adjustments.

## Checklist

- Known creditors and recurring obligations inventoried
- Claim presentation dates reviewed
- Secured debts and liens addressed
- Tax filings, clearances, and reserves reviewed
- Administration expenses estimated
- Disputed and contingent matters reserved
- Property sale or transfer costs reserved
- Beneficiary communication documented
- Attorney and accountant review completed where appropriate

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CASH BEFORE DISTRIBUTION

PROPOSED DISTRIBUTION

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TOTAL HOLDBACK

HOLDBACK REVIEW DATE

---

APPROVED BY

BENEFICIARIES NOTIFIED

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# Professional Review Questions

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Bring the register, source documents, asset snapshot, and these written questions to the appropriate professional.

## Questions

- Which assets are available to pay these obligations?
- How does N.J.S.A. 3B:22-4 apply to each known or late-presented claim?
- Is the estate solvent, and does N.J.S.A. 3B:22-2 control the payment order?
- Which obligations are secured by property or governed by another lien priority?
- Which claims should be allowed, rejected, negotiated, reserved, or presented to the court?
- What taxes, Medicaid recovery, business, guaranty, joint-debt, or litigation issues require separate handling?
- What amount should remain in reserve before any beneficiary distribution?
- What accounting, releases, receipts, or court approvals should be preserved?

## ANSWERS AND FOLLOW-UP NOTES

NEXT STEPS

# 30-Day Action Plan

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Convert the open claim file into dated assignments with a clear owner and proof of completion.

NEXT LEGAL REVIEW

NEXT TAX / ACCOUNTING REVIEW

---

NEXT PROPERTY DEADLINE

NEXT BENEFICIARY UPDATE

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Priority action	Owner	Due date	Proof / deliverable	Status

# Common Claim Mistakes

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These errors can create personal exposure, reduce estate value, or cause avoidable conflict.

## Checklist

- Paying the loudest creditor first without checking priority.
- Distributing estate assets before claims, taxes, expenses, and reserves are reviewed.
- Assuming every bill addressed to the decedent is automatically valid or automatically invalid.
- Treating a secured debt like an ordinary unsecured credit-card claim.
- Ignoring envelopes, delivery dates, court papers, tax notices, or collection assignments.
- Using personal funds or accounts without a clear reimbursement record.
- Failing to document property taxes, insurance, utilities, security, and necessary preservation costs.
- Promising heirs a fixed distribution before the estate debt picture is complete.
- Relying on a general nine-month statement instead of obtaining advice on the actual claim.
- Failing to preserve approvals, releases, canceled checks, and final statements.

# Frequently Asked Questions

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These answers are general planning guidance. The facts, documents, statutes, liens, tax rules, and court orders control.

## **Do heirs inherit the decedent's debts?**

- Not merely because they are heirs. Personal liability can arise from a separate obligation such as a joint account, co-signature, guaranty, contract, or other legal basis. The estate and collateral may still be responsible.

## **Do creditors have nine months to file a claim?**

- N.J.S.A. 3B:22-4 addresses presentation within nine months after death and protections for a personal representative who pays or distributes assets before a later claim is presented. Its effect is fact-specific; do not treat the date as an automatic cancellation rule.

## **Can an executor reject a claim?**

- A personal representative should investigate and obtain advice about unsupported, incorrect, disputed, contingent, or late claims. The proper response and any court process depend on the claim and estate.

## **What if the estate cannot pay everyone?**

- Stop discretionary distributions and obtain legal guidance. N.J.S.A. 3B:22-2 provides a priority order when applicable assets are insufficient, while secured interests and other statutory priorities may require separate analysis.

## **Can the estate keep paying the mortgage and property bills?**

- Property preservation may be necessary, but authority, benefit to the estate, liquidity, lien status, occupancy, and the plan for the property should be reviewed and documented.

## **Should the family negotiate directly with collectors?**

- The authorized personal representative or counsel should control communications. Request written itemization and proof, avoid personal promises, and document any settlement authority and release terms.

REFERENCE

# Official Resources

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Use current official sources and licensed New Jersey professionals for statutes, probate procedure, tax, Medicaid recovery, and court questions.

Official resource	Printed URL
New Jersey Legislature - Title 3B, Administration of Estates	<a href="https://lis.njleg.state.nj.us/nxt/gateway.dll/statutes/1/2859">https://lis.njleg.state.nj.us/nxt/gateway.dll/statutes/1/2859</a>
N.J.S.A. 3B:22-2 - Priority when estate assets are insufficient	<a href="https://lis.njleg.state.nj.us/nxt/gateway.dll/statutes/1/2859/3051">https://lis.njleg.state.nj.us/nxt/gateway.dll/statutes/1/2859/3051</a>
New Jersey Courts - Probate Self-Help	<a href="https://www.njcourts.gov/self-help/probate">https://www.njcourts.gov/self-help/probate</a>
New Jersey Courts - County Surrogates Directory	<a href="https://www.njcourts.gov/public/directories/court-services/county-surrogates">https://www.njcourts.gov/public/directories/court-services/county-surrogates</a>
New Jersey Division of Taxation - Inheritance and Estate Tax	<a href="https://www.nj.gov/treasury/taxation/inheritance-estate/inheritance.shtml">https://www.nj.gov/treasury/taxation/inheritance-estate/inheritance.shtml</a>
New Jersey Medicaid - Estate Recovery	<a href="https://www.nj.gov/humanservices/dmahs/clients/medicaid/estate_recovery/">https://www.nj.gov/humanservices/dmahs/clients/medicaid/estate_recovery/</a>
Consumer Financial Protection Bureau - Debt Collection	<a href="https://www.consumerfinance.gov/consumer-tools/debt-collection/">https://www.consumerfinance.gov/consumer-tools/debt-collection/</a>
New Jersey Probate Starter Workbook	<a href="https://www.vierainvestmentgroup.com/downloads/nj-probate-starter-workbook">https://www.vierainvestmentgroup.com/downloads/nj-probate-starter-workbook</a>

RESOURCE NOTES

PROPERTY CONVERSATION

# Talk With Ray

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Use this page when estate debt, liens, carrying costs, condition issues, or limited liquidity are affecting a New Jersey property decision.

PROPERTY ADDRESS

ESTATE REPRESENTATIVE

---

MAJOR SECURED DEBT

BEST CALLBACK NUMBER

---

CURRENT ESTATE AND PROPERTY SITUATION

DEBTS, LIENS, AND DEADLINES TO HAVE READY

QUESTIONS FOR RAY

## Contact

Office: 973-939-5151

Text/SMS: 424-440-2739

Website: [vierainvestmentgroup.com](http://vierainvestmentgroup.com)

Address: 377 Valley Rd #1218, Clifton, NJ 07013

# Notes Page 1

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Use these pages for creditor calls, attorney guidance, calculations, property observations, beneficiary updates, and follow-up items.

**NOTES**

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# Notes Page 2

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NOTES

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# Notes Page 3

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NOTES

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READ BEFORE USE

# Educational Disclaimer

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This workbook is for general educational and organizational use only. It is not legal, tax, accounting, financial, probate, fiduciary, debt-collection, title, lending, insurance, Medicaid, court, or government advice.

Viera Investment Group LLC is a real estate investment company, not a law firm, debt collector, accountant, tax advisor, lender, title company, court, county Surrogate, or government agency. Confirm authority, claim validity, deadlines, priorities, liens, taxes, reserves, payments, settlements, accountings, and distributions with the appropriate qualified professional or public office before acting.

WORKBOOK VERSION

DATE REVIEWED

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REVIEWED BY

QUESTIONS TO VERIFY

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Plain-English education and practical next steps for New Jersey families organizing estate debts, creditor claims, payment priorities, and property decisions.

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