

Michigan Lady Bird Deed

A Michigan Lady Bird Deed, also known as an Enhanced Life Estate Deed, is a special type of deed that allows property owners to transfer real estate upon death without going through probate while retaining full control of the property during their lifetime.

How It Works

- **The property owner (grantor) retains full ownership and can sell, mortgage, or change the beneficiary without needing anyone's permission.**
- **Upon the owner's death, the property automatically transfers to the named beneficiaries (remaindermen) without probate.**
- **Because there is no transfer during the owner's lifetime, it does not affect Medicaid eligibility and does not trigger uncapping of property taxes under Michigan law.**

Key Benefits

- ✓ **Avoids Probate – The property automatically transfers to beneficiaries without court involvement.**
- ✓ **Maintains Control – The grantor can sell, refinance, or change beneficiaries anytime.**
- ✓ **Medicaid Protection – Helps prevent Medicaid estate recovery (i.e., the state trying to claim the property after death).**
- ✓ **Property Tax Benefits – Avoids uncapping of property taxes upon transfer.**

Do You Need One?

A Lady Bird Deed is especially useful if:

- **You want to avoid probate for your home.**
- **You are concerned about Medicaid estate recovery but still need long-term care planning.**
- **You want to ensure a smooth transfer of property to heirs while retaining control during your lifetime.**
- **You want to keep property taxes lower for your heirs.**

If your main goal is to keep your house out of probate while retaining flexibility, a Lady Bird Deed is often a great option. However, if you have

complex estate planning needs (multiple properties, tax concerns, or creditor protection issues), you might also consider a trust.