

The Fiduciary Fallout of Household Accumulation

Many clients have accumulated belongings over decades, from everyday items to family heirlooms, which can create significant challenges for their heirs and fiduciaries. What may feel manageable during a client's lifetime can become complex and time-consuming after they pass.

When a home contains a large volume of personal property, organizing and distributing items can create both logistical and emotional hurdles for family members. Advisors may encounter situations in which heirs are uncertain about what to keep, what to donate, and how to handle valuable or sentimental items.

The responsibility for managing a client's personal property typically falls to relatives or fiduciaries. Without proactive planning, excessive accumulated belongings can result in delays, higher administrative costs, and potential disputes—complications that often become apparent only during estate administration.

America Has a Clutter Problem

An oft-cited statistic claims that the average American home has 300,000 items in it.¹ Though that number has been disputed, there is no debate that Americans own a great deal of stuff:

- 25 percent of Americans admit to having a “clutter problem”²
- 84 percent worry that their homes are not organized enough³
- 55 percent say that clutter is a major cause of stress⁴

Yet the urge to accumulate is not a particularly American “problem.” Humans are predisposed to accumulate, in part because we evolved under conditions of scarcity.⁵ It is the same reason we have trouble denying ourselves fats and sweets; our brains crave unnecessary items the way they crave unhealthy food.⁶ Research also suggests that objects appeal to us on an emotional level, giving us a sense of security and connection to the past and to the people we love.⁷

Meaning, however, is subjective. Physical items may be tied to memory and identity in ways that are not easily discernible.⁸ When family members begin sorting and packing up belongings from a home during estate administration, issues can arise that far exceed any given item's size, weight, or monetary value.

¹ Jean Chatzky, *One in Four Americans Has a Clutter Problem — And Could Be Sitting on Some Serious Cash*, NBC News (May 31, 2017), <https://www.nbcnews.com/business/personal-finance/one-four-americans-has-clutter-problem-could-be-sitting-some-n766681>.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ Archana Ram, *Why Do We Keep Buying New Stuff?*, Patagonia (Nov. 15, 2023), <https://www.patagonia.com/stories/culture/design/feeling-like-new/story-144207.html>.

⁶ *Id.*

⁷ Christian Jarrett, *The psychology of stuff and things*, The British Psych. Soc'y (Aug. 13, 2013), <https://www.bps.org.uk/psychologist/psychology-stuff-and-things>.

⁸ Christopher R. Madan, *Memory Can Define Individual Beliefs and Identity—and Shape Society*, Sage J. (Dec. 13, 2023), <https://journals.sagepub.com/doi/10.1177/23727322231220258>.

Fiduciaries' Challenges of Managing Excessive Personal Property

Administering an estate is inherently time-consuming, and personal property often adds complexity. Excessive belongings can amplify these challenges, increasing both fiduciary workload and risk. Key considerations for advisors to anticipate include:

- **Time and emotional demands.** Sorting through a home with extensive personal property can be a considerable effort, especially when heirs are grieving. Executors and trustees may spend evenings and weekends reviewing documents, coordinating cleanouts, and making decisions about items with little financial value but great emotional significance.
- **Disputes among heirs.** Unlike financial assets, household items often carry sentimental value, making division challenging. Multiple heirs may claim the same items, leading to disagreements over fairness.
- **Subjective value of items.** Objects with little monetary worth, such as tools, furniture, or keepsakes, may have deep personal meaning, increasing the likelihood of conflict and complicating equitable distribution.
- **Perceived bias.** Fiduciaries are expected to act impartially. Decisions about personal property may be interpreted as favoritism, potentially leading to grievances or strained relationships.
- **Legal and relational risks.** In extreme cases, disagreements over personal possessions can lead to litigation. Even in the absence of legal action, disputes over personal belongings can still damage family relationships and create lingering resentment.

Although personal property may seem trivial, it can have real consequences for heirs and fiduciaries. Disputes over belongings, even ones of modest monetary value, can cause delays, increase administrative costs, and strain family relationships. Advisors who recognize these risks can help clients take proactive steps to organize, document, and communicate their intentions, reducing potential complications and supporting smoother estate administration.