

Rule 18. Proceedings for the sale of real property.

(a) Petition.

A proceeding for the sale of real property of a decedent for the payment of charges or legacies, as set forth in *D.C. Code § 20-1106*, shall be commenced by the filing of a petition which shall set forth: The real property sought to be sold; the estimated value of the personal property; the amount of the charges and legacies, if any; the insufficiency of the personal property to satisfy said charges and legacies; and, where applicable, the name and address of each heir at law and next of kin, legatee and devisee.

(b) Process.

Except as to parties who have filed consents therein, process shall issue in proceedings under this Rule in accordance with D.C. Code §[§] 13-337 through 13-340.

(c) Reference to Auditor-Master.

After service of process has been completed and the time for answer has expired, the proceedings shall be referred to the Auditor-Master for a report in accordance with *D.C. Code § 20-1106*. The procedure prescribed by Superior Court Civil Rule 53(g)(2) for the filing of objections to the report of the Auditor-Master may be waived in writing if such waiver is signed by all persons who have received notice of the filing of the report.

(d) Sale without reference to Auditor-Master.

When all parties described in section (a) of this Rule have filed with the Court their consents to the sale, the Court may order the sale of all or part of said real property without reference to the Auditor-Master if it is satisfied that the personal property of the decedent is insufficient to meet all charges or legacies and that all or part of the decedent's real property must be sold to pay said charges or legacies. If a person having an interest in said real property is not sui juris, the Court may accept on behalf of said person the consent of a fiduciary duly appointed for said person's estate, or may appoint a guardian ad litem who shall have the right to file a consent on behalf of said person.

(e) Manner of sale.

A sale authorized pursuant to this Rule shall be made in accordance with SCR-PD 203.