

### **633.160 Breach of duty.**

Every fiduciary shall be liable and chargeable in the fiduciary's accounts for neglect or unreasonable delay in collecting the credits or other assets of the estate or in selling, mortgaging or leasing the property of the estate; for neglect in paying over money or delivering property of the estate the fiduciary shall have in the fiduciary's hands; for failure to account for or to close the estate within the time provided by this probate code; for any loss to the estate arising from the fiduciary's embezzlement or commingling of the assets of the estate with other property; for loss to the estate through self-dealing; for any loss to the estate arising from wrongful acts or omissions of any cofiduciaries which the fiduciary could have prevented by the exercise of ordinary care; and for any other negligent or willful act or nonfeasance in the fiduciary's administration of the estate by which loss to the estate arises.

[C51, § 1428; R60, § 2453; C73, § 2482; C97, § 3405; C24, 27, 31, 35, 39, § **12057**; C46, 50, 54, 58, 62, § 638.17; C66, 71, 73, 75, 77, 79, 81, § 633.160]

2005 Acts, ch 38, §51