

**633.158 Liability for property not a part of estate.**

Every fiduciary shall be chargeable in the fiduciary's accounts with property not a part of the estate that comes into the fiduciary's hands at any time, and shall be liable to the persons entitled thereto, if:

1. The property was received under a duty imposed upon the fiduciary by law in the capacity of fiduciary; or
  2. The fiduciary has commingled such property with the assets of the estate.
- [C66, 71, 73, 75, 77, 79, 81, §633.158]