

633.83 Continuation of business.

Upon a showing of advantage to the estate, the court may authorize the fiduciary to continue any business of the estate for the estate's benefit. The order may be without notice, or after such notice as the court may prescribe. The court may on its own motion, and upon the application of any interested party shall, review the authorization, and upon such review, may revoke or modify the authorization. The order may provide for any of the following:

1. The conduct of the business solely by the fiduciary, or jointly with one or more other persons; the formation of a partnership for the conduct of such business; or the formation of, or for the fiduciary to join in the formation of, a corporation for the conduct of such business.

2. The extent of the liability of the estate, or any part of the estate, or of the fiduciary, for obligations incurred in the continuation of the business.

3. Whether liabilities incurred in the conduct of the business are to be chargeable solely to the part of the estate set aside for use in the business, or to the estate as a whole.

4. The period of time for which the business may be conducted.

5. Such other conditions, restrictions, regulations, and requirements as the court may order.

[C51, §1327; R60, §2359; C73, §2407; C97, §3337; C24, 27, 31, 35, 39, §11956; C46, 50, 54, 58, 62, §635.52; C66, 71, 73, 75, 77, 79, 81, §633.83]

[2020 Acts, ch 1063, §336](#)

Referred to in [§633.642](#)