

# WHAT TO DO WHEN SOMEONE DIES?

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When someone dies there are many decisions and arrangements to be made and sadly, these have to be made at a time of personal distress. Some of these things can be done by a close relative or friend; others need to be done by the executor or administrator of the estate.

## The first step

- register the death at your local register office
- the Registrar will need the following :
- the medical certificate showing the cause of death
  - the full names of the deceased person (including maiden names / alias)
  - the date and place of death
  - the usual address of the deceased
  - their date and place of birth
  - their most recent occupation
  - the name, occupation and date of birth of their spouse or civil partner
  - Their birth certificates,
  - Their marriage certificate or civil partnership certificate

You may also find that the Registrar will register the death, through a “one stop shop”, with the state pension providers, DVLA, passport office and other government bodies.

## The second step

- Notify any private pension providers to prevent overpayments
- Notify any banks or financial institutions so that they can freeze the accounts
- Secure the property if vacant and remove any valuables
- Notify the insurers of any property if it is to be left vacant
- In certain circumstances arrange for the mail to be re-directed

## Begin funeral arrangements

Check if the deceased had a pre-paid funeral bond which will cover all or most of the funeral expenses. Alternatively, you may need to check the deceased’s will for his or her burial wishes, You may also need to consider how the funeral can be paid for. It is usually paid for out of the deceased’s estate. If there are sufficient funds in a bank account the bank will usually release a cheque payable to the undertakers on production of the funeral bill. If not, help with funeral costs may be available in limited circumstances from the Social Fund.

## Find the Will

If you are aware that the deceased made a Will try to find evidence of its location as it may contain information about their funeral wishes.

If you know you are an executor either alone or with other individuals it may be possible to obtain the original Will. If there is a Will it states what the deceased wished to happen to the estate, and who the deceased appointed as their executor, ie the person or persons responsible for ensuring that the estate is distributed as per the Will. It will be needed if it is necessary to apply for a Grant of Probate.

Applying for a Grant of Probate involves obtaining valuations of all the assets of the deceased and assessing any liabilities to be able to calculate the full value of the estate. It may also be necessary, in certain circumstances, to calculate the amount of Inheritance Tax ("IHT) which needs to be paid and whether it is possible to reduce the amount using a number of different types of exemptions, on which a Solicitor would be able to advise you.

The value of the estate for an individual before any IHT has to be paid is currently £325,000 and this has been fixed by the government until 2019. Inheritance tax may be payable on the value of any assets over this figure and if tax is payable it has to be paid before probate can be applied for. Tax is payable at 40% and it is usually payable out of the estate provided there are sufficient funds. Otherwise it may be necessary to work out where the funds for the tax can be released from.

### **If there is no Will**

The person is said to have died "intestate" and the estate would pass in accordance with the rules of intestacy. It will usually be administered by one or two close family members who would have to apply for a Grant of Letters of Administration.

If you are instructing a solicitor to act for you in obtaining a Grant of Probate or a Grant of Letters of Administration, then the more information you can provide about the deceased's financial affairs, the quicker the process will be.

It is helpful to let them have:

- Bank statements
- Life insurance policies
- Details of pension payments
- A list of any shares, bonds or other investments
- Details of any other assets e.g. property, cars or works of art
- Information about any debts or other liabilities

### **Coping after bereavement**

If you or someone you know needs counselling or support after bereavement, then there are many organisations offering these services, as well as information, advice or practical support, for example, Cruse Bereavement Care.

Anyone who lived with or was dependant on someone who died may be able to claim certain benefits, for example, a reduction in Council Tax. Other benefits include bereavement allowance, widowed parent's allowance and bereavement payment. Your local Jobcentre will be able to help with these.

You may want to contact the Bereavement Register and the Deceased Preference Service to remove the deceased's name from mailing lists and databases.

## **How we can help?**

The experienced members of our probate team can help sort out the estate of a deceased person and to obtain a Grant of Probate or Letters of Administration as quickly as possible, thus causing the minimum of distress and Inconvenience to the bereaved

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