

# Probate process

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## Pre-grant

### The practical steps

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#### Step 1:

- Register the persons death and obtain a death certificate
- Use the 'tell us once' service to notify the government agencies
- Make the funeral arrangements and notify family and friends
- Notify home insurers and utility companies
- Remove valuables from the empty property
- Instruct a solicitor to help you administer the deceased's estate.

### The legal part

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#### Step 2:

- Establish whether the deceased left a will and who are the appointed executors
- If there is a will the executors will carry out the deceased's wishes
- If there is no will a set of rules called the intestacy rules will dictate who is entitled to administer and benefit from the estate.

### Next steps

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#### Step 3:

- Report the death to banks, building societies and other financial institutions
- Valuing other assets, and liabilities and any gifts made in the seven years up to the date of death
- Placing creditor notices
- Clearing the deceased's life time tax affairs.

### The probate application

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#### Step 4:

- Settling any inheritance tax due
- Signing the legal statement and inheritance tax account
- Applying and obtaining a grant of probate to unlock the assets.

## Post-grant

### Consolidation

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#### Step 5:

- Collecting in and selling the assets
- Settling all liabilities
- Considering any tax planning (deeds of variation, CGT planning)
- Dealing with any HMRC - IHT enquiries and obtaining IHT clearance
- Paying any legacies
- Considering any potential claimants.

### The final steps

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#### Step 6:

- Producing estate accounts
- Dealing with the estate administration tax affairs
- Distributing the estate to the beneficiaries.