



What is Probate?

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When a person dies somebody will need to deal with their property, money and possessions (their 'estate'). This is called 'administering the estate'.

The term 'probate' means a legal document issued by the Probate Registry authorising a person/s to deal with an estate.

The basic process for administering an estate is:

1. Check if there's a Will - this normally states who sorts out the estate (the executors); if there's no Will somebody will need to apply to administer the estate, this is usually the next of kin.
2. Apply to get a 'grant of probate' - this gives you the legal right to access things like the person's bank account.
3. Pay Inheritance Tax – if applicable.
4. Collect the assets - e.g. money from bank accounts, sale of the person's property.
5. Pay any debts - e.g. unpaid utility bills.
6. Distribute the estate - this means giving any property, money or possessions to the people entitled to it (the 'beneficiaries').

Is Probate always needed?

You don't normally need a grant of probate if the estate:

- Passes to the surviving spouse/civil partner because it was held in joint names – e.g. a savings account, property held as 'beneficial joint tenants'
- Doesn't include land, property or shares
- Is less than £5000

If any of the above applies to you contact the organisation holding the money, e.g. bank or building society, directly. They may ask for proof of death such as the death certificate.

However, be aware, each financial institution has its own rules so check with them first as you may still need to apply for a grant.

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Can I do it myself?

Although administering an estate is something that you can do yourself it is very time consuming and there are some legal technicalities to deal with. This often means it is more efficient to use a professional.

However for many the prospect of dealing with matters is too daunting to contemplate, and for them the burden and emotional stress is why they wish somebody else to deal with it.

If you use a professional you can expect them to:

- Deal with all legal matters including any potential claims against the estate
- Deal with HMRC regarding inheritance tax, capital gains tax and income tax
- Deal with mortgage, savings, pension, employment, insurance etc
- Search for any missing assets and/or beneficiaries
- Prepare the estate accounts

Using Pavilion Row

If you choose Pavilion Row you can expect the following from us:

- A fair fixed fee based solely on the work that needs to be done
- A named qualified probate practitioner who will be your main point of contact throughout the matter. No call centres or sales consultants
- Interest accumulated on estate funds held in our client account ALWAYS paid to the estate. No hidden opt out clauses that allows the firm to take the interest instead
- Distributions paid out to beneficiaries as quickly as possible, to ensure we are not holding client money needlessly
- 10% discount applied to our fees if the deceased did their last Will through us



Call for a copy of our Executor Pack or if you would like a no obligation quote for doing the work

Frequently asked questions

What is an Executor?

An Executor is the person who has the legal right to deal with the property, money and possessions ('Estate') of the person who has died. They are also liable for any mistakes made with the administration of the estate. If there is no Will then the person is called the 'Administrator'.

Can I refuse to act as an Executor?

Yes you can, as long as you make the decision before any work has started. It is known as 'renouncing your entitlement'. Anyone named as Executor in a Will can renounce their role including any professional executors.

When do we pay inheritance tax (IHT)?

IHT must usually be paid within six months after the end of the month in which the person died or interest will be charged. In some cases, you can pay by instalments once a year over ten years. Importantly you must pay IHT before you can get the grant of probate.

Can the Will be changed after somebody has died?

Yes, subject to certain terms, it is possible to do this within the first 2 years of somebody's death.

If I am going to use a professional, who should I use?

Look for a firm with people who are members of the Society of Trust and Estate Practitioners (STEP). STEP members will have 'TEP' after their name and are the most qualified in this field of work.

How much will it cost?

Costs do vary and many organisations charge a percentage of the value of the estate. We think this is unfair and only charge based on the amount of work involved. We will ask for details of the estate before we can provide a fee. However fees will be known before any commitment and we will always cap the fees where possible.

What is the benefit of using a professional?

Not only will you save time but you will have access to their experience such as understanding of available tax reliefs, knowing when it is necessary to pay for formal valuations and also dealing with payment demands before money is available.



Call if you have any questions or if you would like a quote.