



**E - GUIDE**

# **WHAT TO DO WHEN YOUR LOVED ONE DIES**

## **A STEP BY STEP GUIDE TO PROCESS AND PROCEDURE AFTER DEATH**



**ABA Solicitors Ltd**

[WWW.ABASOLICITORS.CO.UK](http://WWW.ABASOLICITORS.CO.UK)

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# ABOUT ABA SOLICITORS LTD



## About us

ABA Solicitors Ltd was set up to help others, to give guidance and to help resolve complicated legal problems that people face every day.

We are compassionate and have a desire to help in every way we can to alleviate the distress and anguish caused by the death of a loved one.

We developed this step by step guide to assist those suffering the loss of a loved one. In the immediate aftermath of a death of a loved one, it is difficult to navigate the systems and procedures. Complete with checklists and information to assist in the process of sorting out a person's financial affairs, this guide aims to give you direction and information about what to do in the immediate aftermath of a death of a loved one.

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## Reach out to us

Our firm of solicitors have over 19 years of experience in dealing with private client work.

Whilst this guide has been designed to assist those to ensure smooth running of the management of a person's affairs immediately after death, it does not replace legal advice.

With inheritance tax having to be paid on estates within 6 months of death, a delay in sorting out the estate can cause penalties and incur extra costs if not managed properly from the outset.

We have assisted clients in looking at ways in which the estate can be managed to reduce tax liabilities and helped to obtain grants of probate quickly and efficiently.





Do not delay and contact us for a quote.

[@abasolicitors.co.uk](mailto:@abasolicitors.co.uk)

# STAGE 1

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## THE DAYS FOLLOWING A DEATH, IF A PERSON LIVED IN THEIR OWN HOME ALONE

- 1  Lock Windows and Doors, ensure valuables hidden from outside view;
- 2 Stop Deliveries of papers and milk; 
- 3 If there are valuables, speak to executor and family and friends first, move valuables to a secure place. 
- 4 Make an inventory of any valuables
- 5 Make temporary arrangements for pets to be looked after 

### Did you know ?

If the person who died had a gun licence and a gun, The British Association for Shooting and Conservation provides guidance when someone dies


### Did you know ?


Squatters are known to operate in a network where information passes quickly if a home is discovered to be long term empty.


## STAGE 2


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### INSURANCE (IF THE PERSON LIVED ALONE)


- 




Most important document for immediate after death - look for papers of insurance and content insurance
- 





Call the insurers and tell them about the death
- 



Ensure there is adequate cover - empty property insurance may be needed
- 



Keep a note of the conversation and place with the insurance documents. Keep all emails from property insurance
- 



Contact Executor. If there is no property insurance. Insure immediately. Keep receipt

### Important Fact

Property insurance is one of the most important acts that one can do to safeguard the deceased's property. The cost of the property insurance is taken off as an expense of the estate

### If there is no will

Where there is no will, the person is regarded as dying intestate. In this case, the administrator must wait for probate before making decisions. Even with intestacy, it is important that property insurance is taken out immediately to protect the property for the those inheriting.

# STAGE 3

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## REGISTERING THE DEATH

1 *When?* Within 5 days of the death

2 *Who?* Relative / anyone present at death / person taking responsibility for the funeral

3 *Where?* Register Office where person died. Appointment may be needed.

4 *What?*

The medical certificate from the doctor.

- The following information:
- date of death;
- place of death;
- full name of the person who has died;
- any former names;
- occupation;
- last address;
- name, date of birth and occupation of the person's spouse (including a same-sex spouse for marriages on or after 13 March 2014) or civil partner (whether living or dead); and
- information about any state benefits the person was receiving.

### How many death certificates?

At least one death certificate per property/bank account / shares and other financial asset owned. Keep the receipts as this can be claimed from the deceased's estate.

### Registrar

The Registrar gives Form BD8 to complete to inform the DWP of death.

They will also give you certificate for burial which should be passed to the funeral director.

# STAGE 4

## CORONER'S INQUESTS

1

If a death is reported to a coroner but then is determined to be natural, they inform the registrar to register the death.

2

If an inquest is needed, the registrar can't issue certificates for cremation or death.

3

Coroner is notified of unexpected deaths in cases; an unexpected death is;

- The person who has died was not seen by a doctor in the 14 days before death or during their final illness.
- The doctor does not know the cause of death and so cannot issue a medical certificate.
- The person died within 24 hours of being admitted to hospital or during an operation.
- The medical certificate suggests that the cause of death was due to industrial disease or industrial poisoning.

4

If reported, coroner conducts a post mortem to determine cause of death. If natural, death is then registered and funeral is allowed. Coroner holds an Inquest only if cause of death is still uncertain or not natural. Funeral allowed even if inquest held.



### Coroner's Inquests

Coroner's Inquests are court proceedings which try and determine who the deceased was, how, when and where they died. It can be the platform which can investigate unusual deaths and get to the bottom of how someone died.

*Who?*

*How?*

*When?*

*Where?*

# STAGE 5

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## FINDING THE WILL

1

It's not essential to find the will before the funeral but it is good to find it as soon as possible after the death is best because:

- The person may have stated their funeral preferences in the will.
- The administration of the estate is smoother if the executors are involved from the beginning.

2

If the will cannot be found at home, ask the person's bank and solicitors. Copies of wills made by solicitors are often kept with important papers. Originals are usually kept by the solicitors' firm.

3

Check if the will was stored with HM Courts and Tribunal Service or conduct a search of the Certainty national will register.

4

A solicitor specialising in wills and probate can help with the search and explain what happens if there is no will. Administrators will be appointed to deal with the estate. Solicitors can advise on what to do if you do not know what assets a person has and what types of searches there are.

Look for letter of wishes with the will. it is not mandatory to stick to the letter of wishes about a funeral.

“

Only executors can view a will pre-probate. No one else can see or get copies of the will, but can learn who the executors are from the deceased's solicitors or bank.

”

“

England's organ donation law changed to an opt-out system from May 20, 2020. This means unless exemption applies, everyone is treated as consenting to organ donation.



# STAGE 6

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## ARRANGING THE FUNERAL

- 1 Decide whether the body is to be buried or cremated or given for medical research.
- 2 Hand over the certificate for burial or cremation to the funeral director.
- 3 Discuss the arrangements with the funeral director, who will guide you through the process leading up to the funeral and the interment or cremation.

## Paying for the Funeral

- 4 Responsibility for arranging the funeral also means taking the responsibility of paying for it.
  - Funeral expenses can be reimbursed later from the estate if enough funds are available.
  - Look for pre-paid funeral plans,
  - Contact the bank to see if they will release funds for funeral
  - Check for life insurance or pensions.
  - Consult solicitors before using life insurance or pension lump sums as there may be more cost effective method to do this.
  - Low-income arrangements may qualify for financial assistance, repayable from the estate.



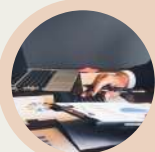
# STAGE 7

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## TELLING OTHERS ABOUT THE DEATH

Who you should inform about the death;

- 1 Executors – if you know who the executor, inform them immediately;
- 2 Solicitors – inform the solicitor who drafted the will who may have the original will
- 3 If there's no will, the closest relatives (spouse, parent, sibling, child) should seek solicitor's advice.
- 4 Inform following;
  - Bank or Building Society
  - Private landlord or local authority
  - Employer
  - DVLA
  - Passport Office
  - Utility Companies – gas, electricity, water
  - Broadband, phone, satellite TV
  - TV Licensing Authority
  - Local Council for Council Tax
- 5 Remember all direct debits are cancelled upon death.
- 6 Take meter readings as close to the death as possible. Ask for all closing balances and bills to the date of death
- 7 Royal Mail – redirect post to the address of personal representative so more information can be sought about the person's assets.



**Joint Accounts** - joint accounts are not frozen and can be transferred into the sole name of the surviving person and used to pay bills

# CHECKLISTS

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## CHECKLISTS OF INFORMATION AND DOCUMENTS NEEDED AT EACH STAGE

### Checklist 1 - Information to keep at hand

<b>Full name of deceased and former names</b>	
<b>Address at death</b>	
<b>Date of birth</b>	
<b>Place of birth</b>	
<b>Date of marriage or civil partnership</b>	
<b>National Insurance number</b>	
<b>NHS number</b>	
<b>Tax reference</b>	

# CHECKLISTS

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## Checklist 2 - Documents to look for immediately after death

<b>Name of Property Insurance Provider</b>	
<b>Reference Number/Policy Number</b>	
<b>If not, insure property</b>	

## Checklist 3 : Before registering the death

<b>Birth certificate</b>	
<b>Marriage certificate</b>	
<b>Death Certificate of Spouse</b>	
<b>Passport</b>	

NB: Death can be registered without the above but good to have this information

# CHECKLISTS

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## Checklist 4 - Documents to look for/Information to obtain

<b>Asset</b>	<b>Name of Provider &amp; Account Number</b>	<b>Date of Death Valuation / Outstanding Bill</b>	<b>Have you informed of death</b>
<b>Bank</b>			
<b>Building Society</b>			
<b>Employer</b>			
<b>Landlord</b>			
<b>Driving Licence/Vehicle Registration/ Car Insurance</b>			
<b>Suppliers of Gas/Electricity/Water</b>			
<b>Council Tax</b>			
<b>Broadband / Telephone /Satellite</b>			
<b>TV Licence</b>			

# CHECKLISTS

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## Checklist 5 - Documents to take to your solicitor

<b>Document belonging to the deceased</b>	<b>Name of Provider &amp; Account Number</b>	<b>Date of Death Valuation / Outstanding Bill</b>
<b>Bank Statements</b>		
<b>Building Society Statements</b>		
<b>Insurance Policy</b>		
<b>Property Deeds</b>		
<b>Share Certificates / Dividend Information</b>		
<b>Statements of investments / savings</b>		
<b>Valuation of Jewellery / Watches</b>		
<b>Credit Card Statement</b>		
<b>Personal Loan Agreements</b>		
<b>Mortgages</b>		
<b>Death Certificates/Marriage certificates</b>		
<b>Tax Returns/P60</b>		



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no obligation quote!



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