

- preparing a detailed list of the property, money and possessions and debts in the estate
- working out the amount of inheritance tax due and arranging to pay it if applicable
- preparing and sending off the documents required by the probate registry and HM Revenue and Customs
- when probate or letters of administration has been granted, collecting in money belonging to the estate from banks, insurance companies, pension funds and building societies
- paying debts, expenses and fees, such as solicitors' fees and probate fees
- sharing out the estate, as set out in the will or according to the rules of intestacy.
- If it appears that there are not enough assets in the estate to cover outstanding tax, expenses, bills and other liabilities, you should seek the advice of a solicitor

Probate / Letters of Administration

If you are named in someone's will as an executor, you may have to apply for probate. This is a legal document which gives you the authority to share out the estate of the person who has died according to the instructions in the will. You do not always need probate to be able to deal with the estate.

If you have been named in a will as an executor, you don't have to act if you don't want to. (*) In some circumstances, to deal with the estate of someone who has died you will have to apply for letters of administration, rather than probate (strict rules apply around who can apply to be an administrator). You have to apply for letters of administration if:

- there is no will
- a will is not valid
- there are no executors named in the will
- the executors cannot or are unwilling to act.

You may need to apply for probate or letters of administration to deal with an estate if it includes property that is not jointly owned or large sums of money independently owned. Otherwise, you do not need probate or letters of administration if:

- the estate is just made up of cash (that is, bank notes and coins) and personal possessions such as a car, furniture, and jewellery
- all the property in the estate is owned as beneficial joint tenants This property automatically becomes wholly owned by the other owner
- you had a joint bank account
- the amount of money is small
- you discover that the estate is insolvent, that is, there is not enough money in the estate to pay all the debts, taxes and expenses
- there are certain life insurance policies and pension benefits in the estate.

(*) **If you are an executor and you do not wish to act:** Even if you have been named as an executor in someone's will, you may not wish to, or be able to, act. You can appoint someone else to apply for probate on your behalf. Fill in an attorney form and send it with the probate application. You may not want to appoint someone else to act for you. You can still refuse to act, as long as the person who made the will has died and you have not already started to deal with