



*a guide to
sale of property
following the death of
a family member*

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this can be a distressing time for any family

Overview

When someone dies, you'll need to get the legal right to deal with their property, money and possessions (their 'estate').

So you need to be reassured that the estate agent you are dealing with is experienced and professional. There will often be more than one family member involved in the sale of the property, and they all will need to be communicated with in order to avoid any misunderstandings or disagreements.

The first stage in the process will usually be applying for probate. There are a number of local solicitors we can recommend. We work closely with them and know they will provide you with an excellent service. 'Probate' is a term commonly used when talking about applying for the right to deal with a deceased person's affairs (called 'administering the estate'). In practice, different terms are used, depending on if the deceased person left a will and where they lived.

England and Wales

You may be able to apply for a 'grant of representation' - known as 'probate'. You can apply yourself or use a solicitor or another person licensed to provide probate services. Most cases follow the same basic process.

1. Check if there's a will - this will normally state who sorts out the estate. If there's no will the next of kin can apply.
2. Apply to get a 'grant of representation' - this gives you the legal right to access things like the person's bank account.
3. Pay any Inheritance Tax that's due.
4. Collect the estate's assets, e.g. money from the sale of the person's property.
5. Pay any debts, e.g. unpaid utilities bills.
6. Distribute the estate - this means giving any property, money or possessions to the people entitled to it ('beneficiaries').

A grant of representation can sometimes be known as a 'grant of probate', 'letters of administration' or 'letters of administration with a will'.

Choosing your estate agent

Once you have been through this process, we can come out to value the property for sale and put it on the market. We will agree whether you would like to conduct your own viewings or for us to undertake them for you.

It is usually best to decide on a family member to be the main point of contact with the agent, if there is more than one person involved, but we can certainly communicate with all involved if need be.

There can be tricky negotiations with this type of sale as often the houses can be older or need some updating. Surveys may pick up on things needing attention and purchasers will use this for re-negotiation once an offer has been accepted. It takes an experienced agent to pick up on what are genuine issues in a survey and those which can be quickly and inexpensively remedied.

We have a number of trusted contractors through our letting department who can remedy any problems that may need sorting out before putting the house on the market.

We will work closely with you throughout the entire sales process through to completion.

And finally:

Don't underestimate the stress and emotional turmoil that can be caused by selling a family home. Make sure you discuss how you are feeling with friends and family and don't be afraid to ask them for practical help and advice.