



This guide sets out the process of what happens after somebody dies. Losing a loved one can be one of the most emotional and difficult times of your life. Understandably it can seem daunting to then have to deal with the legal and financial aspects of the deceased's estate. You should think carefully before deciding if you want to take on this additional administration burden, which can be complicated and take several months to finalise.

If you have any concerns, Moore Stephens Northern Home Counties Limited's expert probate team can support you during this stressful time in any way you need.

**MOORE STEPHENS**

---

## Who We Are

### About Us

Moore Stephens is a top ten accounting and advisory network, with offices throughout the UK and members across the globe.

We are delighted to announce we are now the leading accountancy firm in Enfield offering probate and estate administration services. Although we have been expert probate and inheritance tax advisors for many years, the application for probate used to be a reserved legal activity but due to a recent change in the law this is not the case anymore!

This allows us to extend our services to you in order to be able to provide you with a complete service.

Details of our probate accreditation can be viewed at [icaew.com/probate](http://icaew.com/probate) under reference number C002803690

### Contact Us

If you would like further information on this brochure or information on our services please contact our dedicated private client solicitor, Jessica Ellis on:

Phone: 020 8366 4331

Email: [jessica.ellis@moorestephens.com](mailto:jessica.ellis@moorestephens.com)

Nicholas House, River Front, Enfield EN1 3FG

**MOORE STEPHENS**

---



Moore Stephens  
Northern Home  
Counties Limited

*A Guide to Probate  
and Estate  
Administration*



## What is probate?

Probate is a term used to refer to the process of looking after a person's estate and dealing with their affairs.

The person named in the will as executor has the authority to deal with the deceased's estate and can apply to the Probate Registry for grant of representation. If there is no will or no executors willing to act, an administrator can apply for the grant of representation. The persons legally entitled to deal with the estate (executors/administrators) are collectively known as 'personal representatives'. The grant of representation proves the personal representative's authority to act on behalf of the deceased and administer the estate.

The personal representatives must ensure that relevant taxes are calculated and paid, money owing to creditors and owed by debtors is collected, and the deceased's remaining assets are distributed to the correct beneficiaries.

To help you with some of the common words and phrases that are used in the probate process, we have put together a glossary of probate and estate administration terms on our website.

## Is probate always required?

In certain circumstances you do not have to obtain a grant of representation, for example if:

- The deceased doesn't own any property, land or shares and the estate is valued at less than £5,000.
- The contents of the deceased's estate are held jointly with another and therefore pass automatically to the other joint party. Examples of where this may apply are joint bank accounts and some properties.

If you are not sure whether probate will be required, we are more than happy to discuss and confirm this with you.

## What's involved in the probate process?

**There are several stages to the probate process which are set out below**

### 1. Find the will

Firstly you will need to determine whether the deceased has left a will. If you have not been able to find a will there are certain organisations you can check with to see if they are holding a will. It is important to locate a will as best as you can as it is usual for the will to appoint Executors to deal with the estate and it will set out the deceased's wishes.

If the deceased did not leave a will they will be referred to as dying intestate. If the deceased died intestate the next of kin will be entitled to oversee the probate process. The Intestacy Rules determine who will inherit.

### 2. Applying for the grant of representation

The deceased's personal representatives are responsible for administering the deceased's estate.

The personal representatives can choose if they are happy to undertake the administration of the probate process, or whether they would like to engage the services of a suitably qualified professional, such as Moore Stephens Northern Home Counties Limited.

Personal representatives will need to apply for grant of representation to enable them to fulfil their duties. This will require them to complete relevant inheritance tax forms and swear an oath. The application is then sent to the local Probate Registry who will issue the grant which proves their authority to act.

### 3. Administering the estate

Once you have received the grant of representation from the probate registry, this will need to be sent to relevant organisations who either owe money or who are owed money from the deceased.

At this point you can start liquidating the deceased's assets, which will provide funds to clear debts, pay additional inheritance tax, income tax or capital gains tax arising from the estate.

As personal representative you are personally liable if you distribute the estate to the beneficiaries and then a creditor makes a subsequent claim for an unpaid debt. To protect yourself from this happening you can give notice to potential creditors under Section 27 of the Trustees Act 1925, this involves placing an advert in the deceased's local paper and in the London Gazette giving potential claimants a set timeframe to respond.

#### 4. Preparing estate accounts

Once all claims on the estate have been investigated and all assets have been collected and debts and taxes paid, the estate can be distributed. You must distribute the estate in accordance with the will or the intestacy rules. All beneficiaries should sign a discharge to confirm receipt of their assets or funds. You will need to prepare estate accounts to document what money was received and paid by the estate, tax on the estate and how much is to be distributed to beneficiaries.

***“With our expertise and guidance we ensure the process runs smoothly”***

At Moore Stephens Northern Home Counties Limited we can:

- ✓ Complete the probate process quickly and smoothly. Most of the process is largely accounting and taxation which is what we do on a day to day basis. If the deceased was also an existing client we will have the majority of information needed to complete the relevant forms and administration.
- ✓ Offer competitive pricing. Our understanding of financial documents and our legal expertise mean we can offer a much more succinct service, keeping the costs to a minimum.
- ✓ Keep tax liability to a minimum. We have the specialist knowledge to handle the tax affairs of the deceased. Further we can also work with you and the beneficiaries to minimise their future tax burdens
- ✓ Provide you with a compassionate and discreet service. We understand how difficult this time can be for you and will try to relieve as much stress as possible.

## Our services

- Business outsourcing
- Business tax
- Cloud accounting payroll
- Auto enrolment
- Management accounts and cash flow
- Registered office
- Confirmation and company statement
- Book keeping
- R&D tax relief
- Audit
- Self-assessment
- Tax investigations
- VAT
- Remuneration planning and tax advice
- Wills & probate
- Budgeting & forecast