

Probate & Executor Duties Checklist

This checklist provides a step-by-step guide for executors managing the probate process. It covers key responsibilities, legal requirements, and tax considerations to ensure a smooth estate administration.

1. Initial Responsibilities

- Obtain the death certificate – Required to notify banks, financial institutions, and legal representatives.
- Locate the will & estate documents – Ensure the latest valid will is available.
- Identify beneficiaries & executors – Confirm legal roles and responsibilities.
- Secure estate assets – Protect properties, valuables, and important documents.
- Notify relevant organizations – Inform banks, HMRC, pension providers, and utility companies.

2. Applying for Probate (if required)

- Determine if probate is needed – Required if assets exceed probate threshold or include property.
- Apply for the Grant of Probate (or Letters of Administration) – Submit forms PA1P (if there's a will) or PA1A (if no will) to the Probate Registry.
- Pay probate application fees – Currently £273 for estates over £5,000.
- Check if a solicitor is needed – Complex estates may require professional legal support.

3. Estate Valuation & Inheritance Tax (IHT) Duties

- Calculate the total estate value – Include property, savings, pensions, investments, and debts.
- Submit IHT forms to HMRC – IHT400 (if IHT is due) or IHT205 (if estate is below the threshold).

- Pay Inheritance Tax (IHT) within 6 months – Avoid penalties and interest charges.
- Claim IHT reliefs & exemptions – Nil-Rate Band, Residence Nil-Rate Band, Business & Agricultural Relief.
- Arrange payment options – Consider installment plans if the estate lacks liquidity.

4. Settling the Estate

- Close bank accounts & settle outstanding debts – Notify banks and creditors.
- Transfer property titles & investments – Update ownership records as per probate process.
- Distribute assets to beneficiaries – Ensure correct inheritance is given according to the will.
- Provide estate accounts & final reports – Document financial transactions for transparency.
- Settle any outstanding tax liabilities – Ensure all necessary estate tax returns are filed.

5. Final Legal & Tax Considerations

- File estate tax returns – Ensure compliance with HMRC requirements.
- Resolve disputes or claims – Handle any legal challenges to the estate.
- Keep records for future reference – Maintain copies of all documents for at least 12 years.
- Review ongoing trusts – If any assets are held in trust, ensure they are administered correctly.
- Notify beneficiaries of their tax obligations – Some inheritances may have tax implications.



Important: The probate process can be complex. Seek legal or financial advice if needed to ensure compliance with tax and estate laws.