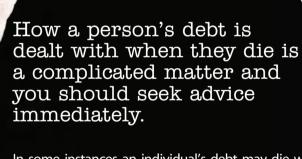


Liability for Debts on Death

advice network

Who is responsible for the debt?



In some instances an individual's debt may die with him/her, although creditors may be entitled to make a claim against the deceased's estate – i.e. money, personal possessions and property. In other instances they may not.

It is possible however, that creditors will attempt to hold partners or close relatives responsible for an individuals debts, particularly if they lived with the deceased.

always check the terms of the agreement

Dealing with bereavement can often cause financial uncertainty, especially when it means your household income is reduced.



It can also be frightening if you are left to deal with debts on your own. The following will provide some useful tips.

Partner Assets

If your partner had assets, such as equity in a property, money in the bank or other valuable assets, their creditors will take some of this to pay any debts solely in your partner's name. The probate solicitors will organise this. If your partner had no assets, any debts in their name only, will be written off. You are not obliged to make payments towards debts that are in your partners name only. Debts in both your names will not be written off.

Joint Debts

Any joint debts you have with your spouse or partner will pass to you when they die.

Remember to check the terms of the agreement to help you clarify liability.



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If the bereavement has affected your household income, check your benefit entitlement.

Legal Agreements

You will need to transfer legal agreements such as tenancy agreements, utility bills and any other joint contracts you may have into your own name.

If there is money owed on any of these agreements, you will have to accept responsibility for the full amount including the arrears.

Insurance Policies

Check if your spouse or partner has any insurance policies you can make a claim on.

For example, if your partner had life insurance to cover a mortgage, this may result in a portion or the entire mortgage being paid off.

Bereavement impact

If the bereavement has affected your household income, check your benefit entitlement.

You may be entitled to a bereavement payment or allowance, or a widow(er)'s parent's allowance if you have dependent children.



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For further help and advice including information on Debt Advisors in your area contact:

Debt Action Northern Ireland www.debtaction-ni.net



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