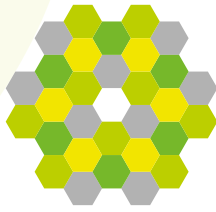


HM Land
Registry



Dealing with property when someone dies



Dealing with property when someone dies

Most properties in England and Wales are registered with HM Land Registry.

This leaflet provides important information for you to consider when dealing with the property of someone who has died.

There's usually no rush to sort out the property, but dealing with the affairs of someone who has died can be difficult, and have legal and financial implications. If you are not sure what to do at any stage, we do recommend you seek legal advice.



First things first

When a property owner dies, their property will often need to be sold or transferred. And when the sale or transfer is complete, it must be registered with HM Land Registry.

Before you start this process, you will need to know:

- if the property is registered with HM Land Registry
- who owns the property
- whether it's owned jointly or by one person

If you're not sure, you can find information about a property in England and Wales, even if you don't own it, using our [Search for land and property information service](#) on GOV.UK. We also have a useful YouTube video: [How to find information about land and property](#).

Who can deal with the property

When the sole owner of a property dies, someone is appointed to deal with their affairs, including any property they owned. This person is called an executor (if there is a recorded will) or an administrator (if not).

They will apply for a grant of representation, which is the right to deal with someone's property after they have died. This will be either a grant of probate (if there is a recorded will) or letters of administration (if not).

The grant of representation gives them the legal authority to deal with the property.

[Find out more and how to apply for probate](#) on GOV.UK.

If the property is not registered with us

If the property is not registered, any change of ownership will trigger the need to register it for the first time. For more information, see [Registering land or property with HM Land Registry](#).



Updating the property records

Our short guide, [Update property records when someone dies](#), has details of the forms you'll need, the supporting evidence required and any fees payable.

How you update the property records and who is responsible for doing it depends on whether the deceased was the sole or joint owner of the property.

When a sole owner dies

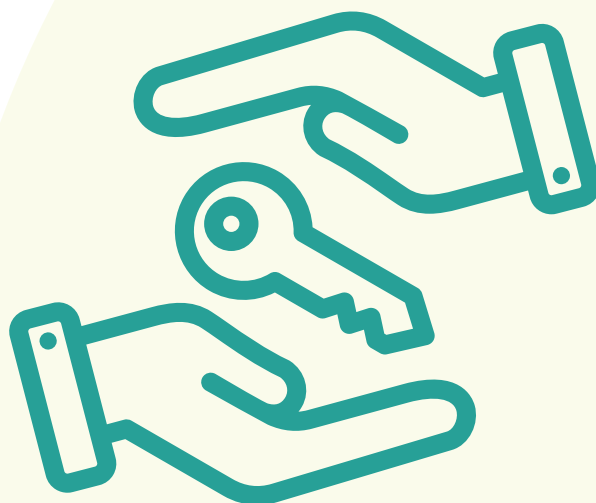
If the property is registered to a sole owner, the executor or administrator handling the estate should deal with the property in accordance with the terms of the deceased's will or, if there is no will, the laws of inheritance.

To transfer the property to a beneficiary (the person inheriting the land or property from the deceased), the executor or administrator will need to transfer the legal ownership by completing a [form AS1](#), which we call an Assent. The AS1 should be sent to us, together with a completed application [form AP1](#), and a certified copy of the grant of probate or letters of administration.

Alternatively, the executor or administrator might transfer the property to someone else. In this case, they would use [form TR1](#).

The TR1 should be sent to us, together with a completed application [form AP1](#) and a [certified copy of the grant of probate](#) or letters of administration.

For guidance, see our helpful tips on GOV.UK about [how to deal with property when a sole owner dies](#) or see our YouTube video: ["What to do when the sole owner of a property dies"](#).



If a joint owner has died and there is still a surviving owner

If the person who has died owned the property jointly with someone else, the legal ownership passes to the surviving joint owner.

If the property is registered in joint names, you may simply need to notify us of the death, using [form DJP](#). We will update the register. There is no charge for this service.

Download the form DJP from our website, GOV.UK, and return the completed form to us, along with a certified true copy of the death certificate for the deceased.

For guidance on how to complete [form DJP](#), see our [YouTube video](#) or [helpful tips on GOV.UK](#).



If a joint owner has died and the ownership is changing or held in trust

If the ownership is changing, the surviving joint owner would need to transfer the whole of the legal ownership. Before deciding on this, it's important to consider the legal and financial implications for all concerned, including the surviving owner and any new owner.

Dealing with property that is held as tenants in common or in a trust is complex. We cannot cover every scenario in this leaflet and would always recommend that you seek legal advice to understand what options exist for everyone before seeking to transfer the legal ownership.

Find out more about joint property ownership on our website, GOV.UK. Our blog [What kind of joint ownership do I have?](#) contains useful information, too.

If you're not sure where to get legal advice, head to the [Law Society's Find a Solicitor database](#), [CILEX Regulation's Find a lawyer](#), or the [Council for Licensed Conveyancers Find a Licensed Conveyancer](#) for details of legal practitioners in your area.

For guidance on completing form TR1, watch our [YouTube video](#) or [helpful tips on GOV.UK](#).

Where to send your application

We recommend seeking legal advice for any property transaction, but if you're lodging an application with us yourself, send your completed form(s) along with supporting evidence to the Citizen Centre at [our standard address](#).

Protecting the property from fraud

Following a death, a property might be left unoccupied and can be vulnerable to fraud, such as someone posing as the owner to benefit from it.

You can take steps to help protect a property from being fraudulently sold or mortgaged by signing up to [HM Land Registry's free Property Alert service](#).

You can sign up to get property alerts if someone applies to change the register of your property, for example if someone tries to use your property for a mortgage. This will not automatically block any changes to the register but will alert you when something changes so that you can take action.

You can get alerts for up to 10 properties, there's no fee and you don't have to own the property. For more information on how to sign up, visit our [guidance on Property Alert on GOV.UK](#). Further guidance on helping to protect land and property from fraud is on our website: [Protect your land and property from fraud](#).



Further support

To get in touch or for more helpful guides, visit our [Contact page on GOV.UK](#).

For video help in completing our forms - including [AP1](#), [AS1](#) and [TR1](#), visit our [Public Guidance playlist on YouTube](#):

[What to do when the sole owner of a property dies](#)

[What to do when a joint proprietor dies](#)

[How to note the death of a registered proprietor](#)

[How to register a personal representative as property owner](#)

[How to assent a property to someone named in a will](#)

[How to transfer a property to someone not named in a will \(a third party\)](#)