



PROPERTY PROBATE PRESERVATION TRUST FOR A SOLE OWNER WITH AN ESTATE OVER £325K WITH LASTING POWERS OF ATTORNEY, A NEW WILL, ADVANCE DIRECTIVE / LIVING WILL AND GIFT TRUSTS

1 x Property Probate Preservation Trust and a new Will containing a Nil Rate Band Trust (and if leaving your property to children) a Residential Nil Rate Band Trust – the Trusts within this strategy will ensure that your assets will not add to your beneficiaries' estates for inheritance tax calculations and will not interfere with any benefits that they may be receiving due to the way the funds are appointed out of the Trusts and your estate and, this also protects against any beneficiaries losing half or all of their inheritance if they were to be married and subsequently divorce or die after inheriting because the Trusts within this strategy ensure that all assets within them have to pass down the bloodline only and not go to spouses (unless you specify otherwise).

So long as you have complied with the rules concerning deliberate deprivation of assets your property will also be 100% protected if you eventually go into care or have care brought into your home because Your Trust will have legally and correctly been put in place and changes your ownership from absolute to that of a Trustee, meaning any Local Authority will be unable to take your property into consideration when assessing your financial position preventing the racking up of huge care fee bills that would otherwise have to be paid from the final estate or through the sale of your home.[†]

These Trusts also protect your property for your chosen beneficiaries if you should marry or cohabit in the future as any future partner could be named as a Life Tenant in your Trust and would protect them at the same time as your beneficiaries because they would have a right to live within the property and would be able to do so for a period of time specified in advance, and this is done without them actually owning the property, meaning if, after your death, they went into care themselves or married/remarried/ entered into a new civil partnership or went bankrupt the property would not belong to them and as such would be secure for your chosen beneficiaries, protected as it would be going forwards against any claim by a Local Authority for their care fees, a divorce settlement, claim under a Will or by the official receiver. In turn, any surviving future partner would also be afforded security and protection as they could not be forced out of the property by any of your beneficiaries either as they would have a legal right to reside in the property for as long as had been stipulated within your Trust wishes.

In addition, when used in conjunction with the Powers of Attorney outlined below, your chosen Attorneys for Property and Finance will also (should they wish to) be able to rent out your property if you go into care and use the resulting rental income to "top up" any financial award you may be eligible for ensuring you would be able to receive a far better level of care than you would otherwise be able to get from that which the basic award would provide.

The Property Trust has no ceiling on the value of the property allowed to be within it, enabling uncapped future growth in the value of your home without the risk of any potential future tax implications.

We put in place a registered Power of Attorney for Health and Welfare which will, once registered with the Office of the Public Guardian, in the event that you no longer have mental or physical capacity, give the power to the persons that are nominated (your attorneys) to make decisions on your behalf about your health and Welfare.*

We put in place a registered Lasting Power of Attorney for Property and Finance for you, which will do the same as above but for decisions about financial affairs.*

We put in place an Advance Directive/Living Will for you which gives your attorneys who have the power to speak on your behalf, your words, wishes and directions concerning specific medical scenarios in advance of them being needed so there will be no doubt what your wishes are in the eventuality that you cannot speak for yourself.

We will also provide you with a new Will within which will be a Nil Rate Band Trust (and if you are ultimately leaving your property to children), a Residential Nil Rate Band Trust, to receive your estate after your death, up to the Nil Rate Band (currently £325,000) or Residential Nil Rate Band (currently £500,000). Putting the residuary estate up to the Nil Rate Band and/or Residential Nil Rate Band into these Trusts is a far better gifting vehicle than purely giving the funds absolutely to the beneficiaries which could then be lost through their divorce, bankruptcy, death passing the funds out of the bloodline, care fees or ultimate inheritance tax on the gift itself in due course by the beneficiary's own descendants/beneficiaries of their Will. This method of gifting from the estate therefore ensures that beneficiaries are fully protected against all the above scenarios.

In addition, we will provide an Interest in Possession Trust within your Will which is exactly the same as the Trusts above but for funds received from the residuary estate in excess of the Nil Rate Band or Residential Nil Rate Band allowance.

An extra copy of your Will is included within this package to ensure that whatever happens to your own copy there is another signed and witnessed original legal copy that will be able to be used when the time comes.

All standard legal, Land Registry and conveyancing fees including the provision and completion of all standard associated official government registration documentation together with all relevant solicitors' fees are provided for you FREE OF CHARGE when taking out this package.

The Priority Client Cover listed below/on reverse must be taken in conjunction with this package at £9.99 per month.



£2995

*This fee includes the immediate registration of both Powers of Attorney with the Office of the Public Guardian

+

£9.99 per month
for Annual Trust Minutes Cover
(full details on reverse/
below)

[†]Remember if you have reason to believe that you may go into care soon or if your sole reason for implementing this package is simply to avoid paying foreseeable care fees and you are not implementing it for any other reasons such as protecting your family against divorce, bankruptcy, marriage after death or generational inheritance tax then you could be accused of deliberate deprivation of assets.

Price valid until
31/12/24

Call now FREE on 0800 668 11 64 to arrange your free telephone consultation



Annual Trust Minutes

with Priority Client Cover - £9.99 per month

- **The annual production and provision** of a bound compulsory Annual Trust Minutes document detailing if there have been any changes to the property or the settlor(s) health (the person(s) setting up the Trust(s)) or any relevant changes in circumstances of any of the Trustees
- **The automatic** inclusion within your documents of any future relevant legislation changes that are made, as and when they happen, by way of a free update to your documents (we will contact you first to confirm that you wish us to do this for you) meaning that your Trust(s) will never be able to be considered "old" or "not up to date" by any local Authority or Court
- **The submission on your behalf** of any documentation that may be required from time to time going forwards ensuring your full compliance with all HMRC regulations is guaranteed at all times
- **Free unlimited updates** to all of your documents if you move or whenever your circumstances or wishes change
- **Free storage** for up to 10 of your documents (including birth/marriage certificates etc)
- **50% off** the list price of any further products and services of our own that you wish to purchase
- **Priority EXPRESS production** of your documents within 48 hours (Mon to Fri)
- **Probate** on your estate conducted at **33% less** than our standard fee if your executors wish to use us for this work
- **94%** of all nominated executors within a Will do not actually conduct the work themselves but pass it to a solicitor to undertake for them
- On an average estate of £350k then, with this cover in place, your beneficiaries will be able to **save over £2000** in solicitor's probate fees when the time comes and the savings will be considerably more if the value of the estate is higher

www.thywill.co.uk

Where there's a Will there's a Way

