



PROPERTY PROBATE PRESERVATION TRUST FOR A WIDOW OR WIDOWER WITH AN ESTATE OVER £325K WITH THE PROVISION OF 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 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 it is legally and correctly 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. This Trust will also protect your property for your chosen beneficiaries if you are now, or, ever decide in the future, to cohabit, remarry or enter into a civil partnership as a partner can be named as a Life Tenant at any time should you wish and this strategy will protect them at the same time as your beneficiaries because you will be able to give your partner a right to live within the property after your death for a period of time that you specify without them actually owning it meaning if, after your death, they went into care or married/remarried/ entered into a civil partnership themselves 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 your partner's care fees, a divorce settlement, claim under a Will or by the official receiver. In turn, your partner would also be afforded security and protection as they could not be forced out of your home by any beneficiaries either as they would have a legal right to reside in the property for as long as you had 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.

One unregistered Power of Attorney covering 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.*

One unregistered Lasting Power of Attorney for Property and Finance which will do the same as above but for decisions about financial affairs.*

An Advance Directive/Living Will 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.

As stated above, we will also provide a new Will and include within it a Nil Rate Band Trust to receive your whole estate after your death up to the Nil Rate Band currently £325,000 which will protect your beneficiaries and if you are leaving your estate to a new spouse or children, we will also add a Residential Nil Rate Band Trust, increasing the allowance to £500,000. Putting your residuary estate up to the Nil Rate or Residential Nil Rate Band into these Trusts is a far better gifting vehicle than purely giving the funds absolutely to your beneficiaries which could then be squandered, have a negative impact on any benefits they may be receiving, be lost through divorce, bankruptcy or death passing the funds out of the bloodline, be lost to their care fees in the future and prevents ultimate inheritance tax on the gift itself in due course having to be paid by the beneficiary's own descendants/beneficiaries of their Will. This method of gifting from the estate ensures that your beneficiaries are fully protected against all the above scenarios.

We will also provide an Interest in Possession Trust within your Will which is exactly the same as the Trusts above but is there to cover the eventuality that your estate rises in value above the Nil Rate/Residential Nil Rate band threshold if for example the value of your property increases going forwards and will receive those funds from the residuary estate accordingly.

We will provide you with an extra copy of your Will 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

www.thywill.co.uk



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

