
Personal Chattels within Wills

Personal chattels are personal possessions such as furniture, the contents of your home and cars. Personal chattels are also referred to as tangible moveable property, ie, items that you own and use personally.

Items used mainly for business purposes are not classed as personal chattels, nor are money and investments. If you have bought jewellery partly as an investment but you wear it as well, it will be considered a personal chattel. For most people, their personal possessions will only form a small part of the value of their estate, however if they are not dealt with properly in a Will, they can cause serious disputes between family members. While individual items may not be worth a great deal, when emotions run high after a death, people can often be upset if they do not receive something they believe they were promised or which has great sentimental value to them.

- **How to leave personal chattels in your Will**

You can use your Will to make gifts of specific personal possessions or you can allow family members to each choose something they would like to have to remember you by, although you should bear in mind that this could give scope for disagreements if more than one person wants the same item. Alternatively, you can refer your executors to a Letter of Wishes, which is a separate document setting out who you would like to receive your chattels. Although a Letter of Wishes is not legally binding, executors will usually follow the guidance it contains. You can use the letter to list your personal possessions and what you would like to happen to them. You can also update the document when you want, to ensure that it still reflects your wishes as time goes by. If you do not want to leave items to people individually, then your personal chattels can be included with the rest of your estate. Your executor will be able to sell them and the proceeds will form part of the residue of your estate and be distributed in accordance with the terms of your Will.

- **Dealing with personal chattels when winding up an estate**

If you are dealing with the administration of an estate, you will need to start by valuing the personal chattels as they form part of the estate for Inheritance Tax purposes. It is often recommended that items worth around £500 or more are professionally valued. This will allow you to show that you have dealt properly with matters in your role as executor or administrator. The valuation should be for the open market value as at the date of death. You should ascertain whether the deceased left a Letter of Wishes in respect of any items or if they have been left to named beneficiaries. If so, the items can be distributed as instructed. It is always recommended that an executor or administrator obtains a receipt from the beneficiary.

If personal chattels are not mentioned, then they can be sold and the sale proceeds distributed in accordance with the deceased's Will or in accordance with the Rules of Intestacy where the deceased has not left a Will.



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01473 808499

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info@suffolkwillservices.co.uk

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