



Probate Checklist

When administering an estate, particularly where property is involved, there are legal risks and insurance responsibilities that many Personal Representatives (the term for executors or administrators) overlook.

Use this checklist to reduce your exposure and ensure the estate, personal representatives and beneficiaries are adequately protected.

Risk Management



The following searches are useful risk management tools to help protect your liability. Some are an essential step before arranging insurance.

1. Have you completed an asset search?

- ▶ You are responsible for identifying all the assets of the estate. Missing any can create a liability for you and would mean the estate is incorrectly valued.
- ▶ Gretel can help you track lost bank accounts, pensions, life insurance, trust funds and shares for free.
- ▶ Visit the [Gretel website](#) to start the free searches required now.

2. Have you completed a Credit Search on the deceased?

- ▶ You are also responsible for identifying all the estate's liabilities
- ▶ [Section 27 Notices are obsolete](#) with Section 27 Insurance and a Credit and Liability report, which provides better protection for all personal representatives and beneficiaries without the two-month waiting period.
- ▶ You can get a [free credit and liability search](#) from either Experian or Equifax.

3. Have you completed Will Search Combined with the National Will Register?

- ▶ Whether there is a Will or not, there is still a risk of another Will being discovered after the estate is distributed, which can create significant liabilities for the personal representatives.
- ▶ Buying a Will Search Combined from the [National Will Register](#) will search their 10m + Wills database as well as contacting regional Solicitors and Will Writers to check for the existence of a Will.
- ▶ The search is a prerequisite for arranging Missing Will Insurance.

4. Do you and the other Personal Representatives understand your risks and liabilities?

- ▶ As a private individual, you cannot insure yourself against errors or omissions. Solicitors can, which is why it is advisable to work with one if the estate is large or complex.
- ▶ Whether or not you appoint a solicitor, you remain liable for losses to beneficiaries due to a lack of insurance protection or claims from third parties, just as the solicitor may be.
- ▶ Insuristic has a Probate Risk Management resource area on its website to help the Personal Representatives and Beneficiaries understand their potential risks and liabilities. Click the button to learn more.

[Probate Risk Management](#)

Property Risk Management



When a property is left empty during probate, insurers usually require you to take reasonable precautions to reduce risks. Failing to comply with policy conditions may result in claims being rejected or reduced. Use this checklist to protect the estate and your liability.

1. Are you confident the property isn't underinsured?

- ▶ [Rebuild Cost Assessment](#) estimates that up to 80% of UK properties are underinsured.
- ▶ Your insurance must be based on the rebuild cost, not the market value or a best guess.
- ▶ Failing to insure for the correct rebuild cost can have serious consequences if the property is underinsured in the event of a claim. This can result in claims payments being significantly reduced, which can place legal liabilities on the Personal Representatives.
- ▶ If you are unsure, Insuristic can insure based on the number of bedrooms (max 4) and provide a blanket building sum insured up to £750,000. Provided this is enough to rebuild the property you will avoid underinsurance. Although you should note, the cost of insuring on this basis will likely be higher than if you know the rebuild value.
- ▶ You can arrange a rebuild valuation via BCH or get a quote on a blanket sums insured.

[Get Cover Now](#)

[Arrange a Valuation](#)

2. Have all valuables been removed from the property?

Insurers usually limit single-item claims to £1,000. Remove jewellery, collections, and high-value items. To make it easier for you, Insuristic treats carpets, blinds, and fitted domestic appliances as part of the building cover (£5,000 any one loss).

3. Is the property in a good state of repair?

Fix issues such as damaged roofs, fences, or broken windows promptly. Insurers usually decline storm or other relevant claims if the property was not maintained.

4. Are all doors and accessible windows locked?

Ensure you can comply with any security conditions applied to your policy and check each time you leave the property.

5. Have you drained the water system?

This is the best way to eliminate escape of water claims. If you haven't drained the system, you can still buy some escape of water cover on Insuristic's Silver and Gold cover, but you will need to maintain heating at 15°C continuously from 1st October to 31st March and keep any loft hatches open.

6. Have you switched all utilities off?

Insurers usually require you to turn off gas and electricity at the mains, unless needed for heating or security, to reduce the risk of fire and explosion.

7. Are you inspecting the property once every 30 days?

Insuristic's inspection condition is easier to comply with than most insurance providers, who may require more frequent inspections. During each visit, the property must be inspected both internally and externally. To evidence the inspection, the person conducting it should take one photo of the front of the property and one inside to confirm entry. In the event of a claim, the underwriter's claims team will require these photos as evidence.

8. Have you redirected mail?

Insurers usually require you to redirect or remove mail and newspapers at each inspection. Build-ups increase fire risk and signal that the property is empty.

9. Are the gardens and grounds well maintained?

Keep grass cut, debris cleared, and paths safe. A tidy garden creates the impression of occupancy and reduces the risk of vandalism or squatters.

10. Do you have a plan to maximise the value of property in the estate

Personal representatives have a duty to act in beneficiaries' best interests, including maximising property value at sale. To do this:

- ▶ Obtain a professional appraisal to understand the true market value.
- ▶ Keep the property secure, insured, and well-presented to attract serious buyers.
- ▶ Consider selling methods that offer speed, transparency, and competitive bidding, which can often achieve a fair or higher sale price compared to private sales.

Arrange a Free Property Appraisal and Consultation

Personal Representatives arranging insurance with Insuristic can also access a free property appraisal.

This not only helps you confirm the property's value but also indicates whether the sale may be better suited to an auction or a traditional estate agency.

[Arrange Free Property Appraisal](#)

Insurance



1. Have you arranged unoccupied property insurance?



- ▶ Standard home insurance is often invalid once a property is unoccupied for over 30 days, or if they agree to continue cover, new policy conditions may be added that are difficult to comply with.
- ▶ Beware – many online policies are not designed to protect the liability of Personal Representatives. Cover can be basic (such as covering just Fire, Lightning, Explosion, Aircraft only – often called FLEA Insurance).
- ▶ Insuristic's policy has been designed to help Personal Representatives buy cover that provides broader protection of their liabilities

[Get Cover Now](#)

2. Is the property currently occupied?



- ▶ Standard Home Insurance is usually unsuitable due to a lack of insurable interest.
- ▶ A Landlord Insurance policy is unlikely to be sufficient, unless there is a formal tenancy agreement in place with the occupants.
- ▶ It is likely you will need probate-specific occupied property insurance that enables insurance to be arranged in the name of the estate and covers people living there with no insurable interest.

[Learn More](#)

3. Have you considered the risks of future third-party claims?



- ▶ Claims against the Personal Representatives can occur at any time after you receive the Grant of Probate or Letters of Representation.
- ▶ Specialist Probate Legal Indemnity Insurance from Insuristic can protect all the Personal Representatives and Beneficiaries against a range of potential claims from third parties. forever, without any excess to pay in the event of a claim.
- ▶ To protect yourself and the other Representatives, it is important to consider the risks depending on the legal position of the estate, for example, if the estate is Intestate (there is no Will), or Testate (there is a valid Will)
- ▶ The policies you need to consider, and the amount of prior risk management steps required depend on whether the estate is Testate or Intestate. Click below to learn more about the cover the estate needs.

[Intestate Insurance](#)

[Testate Insurance](#)

4. Do you need to distribute the estate early (before 6 months from Grant of Probate)?

- ▶ Too often, solicitors recommend waiting 6 months (the statutory waiting period).
- ▶ This isn't required if there are no known issues. You can protect against Inheritance Act 1975 claims by buying Early Distribution Insurance
- ▶ Distribute the estate as soon as you are ready.

[Get a Quote](#)

5. Protection against claims from unknown creditors?

- ▶ No need for expensive and unnecessary Section 27 Notices, which also avoids delaying the estates distribution by two months waiting for a Notice to expire.
- ▶ Section 27 Insurance offers broader, permanent protection for Personal Representatives and beneficiaries against unknown creditor claims.

[Get a Quote](#)

6. Do you have cover in case an unknown Will is found?

- ▶ Whether there is a Will or not, there is always a risk another Will is found. Claims need to be defended, and the costs if the claimant is successful are significant.
- ▶ In the absence of Insurance, Personal Representatives would be liable to pay the costs and estate value awarded to the successful claimant.

[Buy Missing Will Insurance](#)

7. Have you considered the risk of unknown or missing beneficiaries?

- ▶ This cover is usually arranged in two situations:
 - The estate is intestate, and an unknown or missing beneficiary may later come forward to make a claim.
 - There is a Will but the Will includes vague terms (e.g. "all grandchildren") or names a beneficiary who cannot be located, even after genealogy research.

Why this cover matters:

- ▶ Claims from unknown beneficiaries can be substantial.
- ▶ Without insurance, Personal Representatives are personally liable for any losses.
- ▶ This cover protects the Personal Representatives forever.

[Buy Missing Beneficiary Insurance](#)



8. Assessing The Missing Beneficiary Risk



Acting as the personal representative of an estate – whether intestate (no Will) or testate with a vague clause (what genealogists call a “class gift”), such as “all grandchildren”?

If so, you are legally responsible for ensuring that every beneficiary entitled under the Will or under intestacy is identified and included.

Failing to do this could amount to maladministration. You may be held personally liable for any post-distribution claims brought by missed or previously unknown beneficiaries.

This risk is especially relevant if you are a cousin of the deceased. Can you be absolutely certain that you know every relative who should inherit?

To protect yourself, your best option is to request a free risk assessment from our specialist genealogy partner. If necessary, they can provide a formal genealogy report, which can then be used to support arranging insurance for complete peace of mind.

[Request A Free Risk Assessment](#)

This guide does not constitute legal advice and is general information only. Your legal circumstances are specific to you, and you should always consult with a legal professional if you are unsure.



Worried About Disputes or Claims against the Estate?

Personal Representatives can be personally liable for defending claims and covering losses if you don't have Probate Insurance – even if the claim is against the estate, not you directly.

Disputes often arise over who inherits, how the estate is managed, or whether the Will is valid. They may involve someone being left out, disagreements over shares, concerns about how the Will was made, or confusion when no Will exists. Claims under the Inheritance (Provision for Family and Dependants) Act 1975 are particularly common.

These disputes can delay probate, increase costs, and expose you to liability. The best approach is to address risks early, before they escalate.

Arrange a FREE consultation with a Contentious Probate Solicitor.

They'll assess your situation, confirm if a claim is unlikely (helping you qualify for Early Distribution Insurance), or advise on protecting both you and the estate.

[Arrange Free Consultation](#)