



Liability for Debts on Death

Who is responsible
for the debt?

Liability for Debts on Death

Who is responsible for the debt?

How a person's debt is dealt with when they die is a complicated matter and you should seek advice immediately.

In some instances an individual's debt may die with him/her, although creditors may be entitled to make a claim against the deceased's estate – i.e. money, personal possessions and property. In other instances they may not.

It is possible however, that creditors will attempt to hold partners or close relatives responsible for an individual's debts, particularly if they lived with the deceased.



always check the terms of the agreement

Dealing with bereavement can often cause financial uncertainty, especially when it means your household income is reduced.

It can also be frightening if you are left to deal with debts on your own. The following will provide some useful tips.



Partner Assets

If your partner had assets, such as equity in a property, money in the bank or other valuable assets, their creditors will take some of this to pay any debts solely in your partner's name. The probate solicitors will organise this. If your partner had no assets, any debts in their name only, will be written off. You are not obliged to make payments towards debts that are in your partners name only. Debts in both your names will not be written off.

Joint Debts

Any joint debts you have with your spouse or partner will pass to you when they die.

Remember to check the terms of the agreement to help you clarify liability.



If the bereavement has affected your household income, check your benefit entitlement.



Legal Agreements

You will need to transfer legal agreements such as tenancy agreements, utility bills and any other joint contracts you may have into your own name.

If there is money owed on any of these agreements, you will have to accept responsibility for the full amount including the arrears.

Insurance Policies

Check if your spouse or partner has any insurance policies you can make a claim on.

For example, if your partner had life insurance to cover a mortgage, this may result in a portion or the entire mortgage being paid off.

Bereavement impact

If the bereavement has affected your household income, check your benefit entitlement.

You may be entitled to a bereavement payment or allowance, or a widow(er)'s parent's allowance if you have dependent children.

*For further help and advice including
information on Debt Advisors in your area
contact:*

Debt Action Northern Ireland
www.debtaction-ni.net



1 RUSHFIELD AVENUE
BELFAST
BT7 3FP

T: 028 9064 5919
F: 028 9049 2313
E: info@adviceni.net
W: www.adviceni.net
www.adviceni-learningonline.net

Registered Charity No. XR16104
Company Registration No. NI071966

© Copyright to Advice NI 2010



*All information is correct at the time of
publication and may be subject to change.*