

We are in disagreement about chattels forming part of a deceased's estate – what can I do?



What exactly are chattels? Essentially, they are personal possessions. From 1 October 2014 chattels are any 'tangible movable property' that is not:

- money or securities for money;
- at the date of death used solely or mainly for business purposes; or
- held at death solely as an investment.

The definition is slightly different if an individual died, or has a will dated, before this date. In particular, all chattels used for business purposes are excluded (not just those used 'solely or mainly' for that purpose) but possessions held as an investment are not expressly covered.

If you die intestate, all of your personal chattels will pass to your surviving spouse or civil partner (if you have one).

If you have a will you can specify, either in the will itself or in an accompanying letter of wishes, if you want to leave any specific personal possessions to a specific person. The will normally specifies that all other chattels form part of the your residuary estate and will pass to the relevant beneficiary(ies).

Making a will can help avoid disputes about who should inherit possessions. Doing so removes any question regarding the definition of personal chattels and what would constitute a personal possession (one which provides personal use or enjoyment) or a business or investment possession.



Additionally, if you have a will but it is dated pre-1 October 2014, the old definition will apply. You should consider whether you need to update your will to allow for the new definition.

If you want to prepare or review your will, or think you may have a claim in respect of chattels, please [contact our wills team](#).



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