

**Strictly Private & Confidential**

Charity 'R' Us  
Giving Street  
London

Our Ref: LHK/098-01

Your Ref:

Date: 3 July 2023

Dear Charity 'R' Us

**Re: The Estate of Mr Moneybags**

**Our Client: J Bloggs**

We are instructed by Mrs J Bloggs (our "client") in relation to the estate of Mr Moneybags Deceased (the "Deceased"). We write to you in your capacity as beneficiary of the discretionary trust (the "Trust") created under the Deceased's Will dated 1 May 2016 (the "Will").

We are instructed by our client to bring a claim under the Inheritance (Provision for Family and Dependents) Act 1975 (the "1975 Act") for reasonable financial provision to be made for her from the estate of the Deceased. We are instructed to do so on the grounds that she was in a serious and committed relationship with the Deceased. Our client makes her claim under section 1(1)(ba) of the 1975 Act.

We are also instructed to bring a further claim under section 1(1)(e) of the 1975 Act against the Deceased's estate for reasonable financial provision to be made on the basis that our client was financially maintained by the Deceased.

Please treat this letter as a formal letter of claim by which we give notice of our client's claim under the 1975 Act against the Deceased's estate.

In order to assess our client's claims under the 1975 Act, the court will consider the factors set out in section 3 of the 1975 Act. The court will consider whether reasonable financial provision was made for our client on the death of the Deceased and what provision, if any, should be awarded by an order under section 2 of the 1975 Act. We will consider the relevant parts of section 3 further below, but first clarify the factual background and the provision made for our client under the Deceased's Will.

The factual background of our client's claim is as follows:

1. The Deceased was born on 12 October 1962 at Surrey County Hospital, England.
2. The Deceased died in England and Wales on 7 December 2022 leaving a Will dated 1 May 2016.
3. Under the terms of the Will the Deceased appointed Administrators R Us (the "Executors") as Executors. The Deceased then left their entire estate to Charity 'R' Us.
4. The Executors obtained a Grant of Probate on 4 September 2023. The Grant notes the estate as having a net value of £400,000.

5. Our client and the Deceased first met when they worked together at Tesco in May 1999, and subsequently started dating in September 2002.
6. Our client moved in with the Deceased (in a property owned solely by him) in April 2005.
7. During their time living together the Deceased paid all costs towards utility and other household bills. Further, our client was encouraged by the Deceased to cease working. This was on the basis that the Deceased agreed to provide for our client for the rest of her life.
8. Our client was financially supported throughout their relationship, which was loving and caring throughout. Our client is therefore surprised to have now been told that she has been left with nothing in a situation where she will now be homeless.

We consider below the factors in section 3 of the 1975 Act that we believe are relevant to our client's claims.

**Sections 3(1)(a) - Our client's present and future financial needs and resources.**

Our client has an income of £10,600.20 (being the state pension she receives) and no assets. Given her current position it is estimated that our client will require £150,000 to support her future expenditure.

In addition to the above our client will also require a home to live in for the rest of her life (which we estimate on evidence to cost in the region of £285,000 plus purchase costs) or a sum equivalent of £273,000 (being an estimated 35 year life expectancy with monthly rental payments of £650 pcm).

Given the above exceeds the value of the estate, the total claimed by our client amounts to the full value of the estate; being £400,000.

**Section 3(1)(b) and (c) - The financial needs and resources of all other applicants and beneficiaries**

As far as we are aware, no other person is eligible to bring a claim against the Deceased's estate under the 1975 Act. The only beneficiary is your charity, which does not have a moral or financial need.

**Section 3(1)(d) – The obligations and responsibilities of the Deceased**

The Deceased owed our client a responsibility to assist with her finances, having encouraged her to cease employment which in turn prevented our client from preparing for her future or gathering any savings. Given our client's age, she is unable to now commence employment or earn an income over and above the state pension she currently receives.

**Section 3 (1)(e) – The Size and Nature of the Deceased's Estate**

In order to assess the value of our client's claims, the court will consider Section 3(1)(e) of the 1975 Act, which relates to the size and nature of the Deceased's estate. We are unsure of the exact value of the Deceased's estate as we have yet to hear from the Executors. However, we understand from the Grant of Probate that the estate is worth in the region of £400,000.

**Section 3(1)(f) – physical and mental disability of the applicant or beneficiaries**

This section considers any physical or mental disability of the applicants and does not apply.

**Section 3(1)(g) – Any other relevant factors**

Finally, the court will consider any other matter, including the conduct of the applicant or any other person, which in the circumstances of the case the court may consider relevant. Save for our client's position being that there is no financial need for your charity, this section does not apply.

**Next Steps**

We would ask that you now provide us with a formal letter of response within the next 21 days, together with any relevant documents.

We would respectfully suggest that our client's claim is entirely meritorious and whilst we have no doubt that the court will make further provision for our client, she would prefer to reach settlement without a trial. To this end, we invite you to agree to an early mediation.

We have also sent a copy of this letter to Administrators R Us in their capacity as Executors.

We strongly suggest that you seek legal advice in respect of our letter and our client's claim under the 1975 Act against the Deceased's estate.

We look forward to hearing from you.

Yours faithfully

*We want your money*

**We Want Your Money**