

Do I Need A Property Protection Trust Established By A Will Rather Than Just A Basic Will?

If you are worried about any of the following, then the answer is YES!

1. Care Fees and your beneficiaries losing some or all of their inheritance.
2. Your children being disinherited if you die and your partner re-marries.
3. Your beneficiaries losing their inheritance due to divorce or bankruptcy.
4. Young, disabled or vulnerable beneficiaries.
5. Exclusions and any wishes being contested.

‘Surely a Will does this?’

A Will will certainly set out where you want your assets to go – but it won’t ensure that they get there!

‘How does a Property Protection Trust help with Care Fees then?’

Rather than leaving Mirror Wills, so that you leave everything to each other, you leave your half of your home to a trust when you die.

‘I’ve been told that you can’t do that. Anything that tries to avoid care fees is illegal’

Those rules apply to things that you do in your lifetime. You aren’t getting rid of assets so that you don’t have to pay care fees, you’re making a gift on death to a Trust.

If you die before needing care, you can’t possibly be avoiding care fees, because you’re dead. And, you can leave your property to whoever you decide. Leaving it to someone other than your husband or wife is perfectly lawful – in this case a will trust.



‘How will this prevent my children from being disinherited?’

When you marry, or re-marry, any Will that you have done is automatically cancelled. If you do not realise this and then die before your new partner, they will inherit usually all of what you leave. Chances are, you wanted your children to benefit from your assets when you die.

So how does this protect beneficiaries for things like divorce/bankruptcy?

The trust that is set up on death is discretionary meaning that because you’re leaving gifts to your beneficiaries (probably your children) by way of a trust, that trust is separate to their own assets. If they later divorce or become bankrupt, those assets in the trust are not lost to them, but rather preserved. Keeping assets safe from divorce or bankruptcy would be a huge help to someone going through a tough time.

Okay, all sounds good regarding protecting my property but what about my savings?

The good news is that we can do exactly the same for your savings as described above with your property!

Thank You!



Thank you for your interest and I hope that you found the Property Protection Trust information useful. Please see below to read more about us and what we do.

Who Are Town & Country Law?

Town & Country Law are one of the largest Estate Planning companies in England. Our business is a multi-disciplinary estate planning service with different professions connected to the business such as Solicitors, Chartered Legal Executives and Accountants. All the experts under one roof.

Why Trust Us?

Our advice is insured up to £2,500,000 per client. The different professions within the business are all regulated by their own individual bodies. A Solicitor to the SRA, a Chartered Legal Executive to CILEX, and an Accountant to the ICAEW. We also consult regularly with Barristers and QCs to ensure that we have the very best advice at our fingertips to pass on to our clients.

Surely, Your Prices Are Expensive Then?

Absolutely not. We complete thousands of Wills, Trusts and LPA's etc every year and due to the volume, we are able to keep our costs low. In fact, we have price promises on most of our products. It also helps that we only specialise in this area of the law too. Also, if you take out a certain level of planning with us, we'll even offer you a 0% payment plan!

What Happens Next?

We'll give you a call to see if we can help. Any questions, we've got them covered! Thanks again for your interest and we look forward to speaking to you soon.