



# Common Mistakes in Estate Administration

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An estate administrator is the person dealing with the estate of a deceased. He can either be appointed by a will or appointed by the court. He has the duty to safeguard the interests of the beneficiaries of the estate. Below are the common mistakes an administrator should avoid.

## 1 Failing to make an accurate account of the deceased's assets and liabilities

One of the core duties of an administrator is to collect and secure the estate upon the death of the deceased. This is by ensuring that those assets do not go missing or get wasted. This helps to avoid a situation where assets are no longer in existence at the time of distribution or have become incapable of being distributed. This also applies to the debts of the deceased.

## 2 Omitting a property belonging to the deceased

When applying for grant of probate, it is important to ensure that all the assets of the deceased have been included in the schedule of distribution. Failing to include the assets of the deceased may later require for rectification of the grant after it is issued, thus causing delays.

## 3 Including property that does not belong to the deceased

It is important to ascertain that the assets being included in the application for grant truly belong to the deceased. Including assets belonging to other persons may lead to objections by the rightful owner or require rectification thus causing delays. If it is necessary, an administrator may need to hire an investigator to ensure that the property included for distribution truly belongs to the deceased

## 4 Failure to identify all the beneficiaries of the estate

After confirmation of the grant, the administrator is to ensure that the property is legally transferred to the beneficiaries. It is important to identify and cater for all the beneficiaries of the deceased, to minimize the risk of litigation by omitted beneficiaries.

## 5 Dealing with the property of the deceased before confirmation of the grant

The grant gives authority for the administrator to start distribution of the estate. In addition to being an offence, distributing or dealing in any way with the estate of the deceased before this authority is given may lead to wastage of the property or distribution of the deceased's assets to people who may not be legally entitled.