



## Heir Hunters

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### What should you do if approached by heir hunters?

**T**he Society of Genealogists cannot give legal advice and would always suggest contacting a lawyer or the Citizen's Advice Bureau if you have been approached by a professional probate research company.

There are a number of companies that specialise in tracing the heirs of people who have died intestate or where a will is proven but the executors have been unable to find the missing heirs. The latter falls under the heading of 'instructed' work, because there is a valid will which has appointed someone who can draw funds from the estate for various purposes, including the tracing of any missing beneficiaries. The former is known as 'uninstructed' work, in that there is no-one with the authority to commission any research. Probate research companies undertake both types of work. On the uninstructed side, it is a common practice and it's accepted that companies that have gone to the bother of tracking down the heirs will want to charge the beneficiary a contingency fee that is equivalent to a percentage of the inheritance. On the instructed side, it is more usual for there to be a predetermined fixed fee that will come out of the estate expenses before any residue is distributed to the heirs.

If and when contingency fees arise they can be negotiable and should fairly reflect the work involved, and no-one should feel pressured into signing such an agreement. Various consumer laws offer good protection, including a 7-day cooling off period following the signing of any finder's fee agreement. Before signing, you might be advised to contact the Treasury Solicitor for advice to see if you can establish any connection with the intestate cases yourself. Given the limited rules regarding the qualifying degrees of relationship in cases of intestacy, you may well be able to establish for yourself who the intestate relative might be.

Probate research companies generally find out about the unclaimed estates from the government's official Bona Vacantia (or "ownerless goods") division of the Treasury Solicitor. The Bona Vacantia website publishes information about unclaimed estates that are administered by the Treasury Solicitor and is open to the public. There you can find advice for relatives who feel they are entitled to a share of the estate. For more information and to search for names of estates go to the Treasury Solicitor's [website](#) but be aware that apart from the name, date, and place of death, they will impart no other information, not even the basic fact that everyone is keen to know, i.e how much is it worth?

A number of larger probate research companies are based in London and some have been featured in the BBC Heir Hunters television programme. Many smaller companies or individual researchers also work in this field. Most probate research companies advertise to the legal profession via websites, legal magazines and directories. The Society of Genealogists does not recommend any one genealogical research company over another and points out that membership of the SoG is by no means a qualification of competency. Anyone seeking to employ a genealogist in this matter is advised to read the SoG's information leaflet [Employing a Professional Researcher](#) and look at the website of the Association of Genealogists and Researchers in Archives [AGRA](#) , and to satisfy themselves that the genealogist, be they an individual or a firm, has the relevant background and necessary experience and structure, e.g. do they carry Professional Indemnity Insurance?

When an intestate estate is finally distributed it is frequently considered prudent for a Missing Beneficiary Insurance Policy to be arranged, to cover the risk of an overlooked relative emerging and making a valid claim after the distribution. Reputable probate researchers will be skilled in this insurance area and be able to offer assistance in liaising with the insurance companies. In order to do so, though, they should be registered with the Financial Services Authority, so if you do employ anyone's research services be sure to look out for the FSA logo.

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This document was written by Else Churchill and revised by Peter Turvey.  
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