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## Preferred contacts

### **‘Next of Kin’**

At Hanover, we used to refer to a resident’s ‘Next of Kin’ and kept contact details for them. But what do we mean by ‘Next of Kin’? In short – we just don’t know.

This is because the term ‘Next of Kin’ has absolutely no legal status in the United Kingdom. We often intend the term to mean a person’s closest living blood relative, or we might intend it to mean a person who should be contacted in the event of something happening. Since the term has no defined legal meaning, we have no way of knowing what the resident intended when they told us who their ‘Next of Kin’ was.

### **Preferred contact**

We have decided to stop using the term ‘Next of Kin’. Instead, we are asking residents to nominate a ‘Preferred Contact’ – the person to be contacted first if something happens to them. This could be a close relative, a friend, legal advisor – in fact anyone that the resident chooses to name. They may or may not be key holders for the property, though it would be helpful if they were, as our estate managers would not give a preferred contact access to the property.

### **Who can act for a resident?**

Hanover’s authority comes from the tenancy agreement and unless you have given us separate written instructions asking us to deal with another named person e.g. a relative, friend or professional advocate, we cannot accept instructions from anyone else. A spouse or partner who is not named on the tenancy agreement or lease, has no power to act for the resident unless there is specific written authority.

The only exceptions are if you have granted a Power of Attorney to someone or if the Court

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of Protection has appointed a Deputy to act on your behalf. There are different types of Power of Attorney, one allows the attorney to deal with personal welfare issues while another is restricted to property and affairs; some can be used without registration while others require registration with the Court of Protection before use. We will need to know what power an Attorney or Deputy has.

You may have set up a Power of Attorney but continue to deal with your own affairs. It is important that you let us know who holds a Power of Attorney for you but we will not deal with them unless you ask us to or the Power of Attorney is invoked.

See also Helpsheet 20 – Powers of Attorney

## **What happens if you die?**

Any written authorisation, Power of Attorney or Court of Protection Deputyship ceases when you die. Once a resident has died, and in the case of rented property only, if there are no succession rights in the tenancy, then Hanover will need to deal with the legal representative of the deceased person i.e. the Executor/s or Administrator/s. The Executor/s will be named in the Will but if there is no Will, the Court will appoint an Administrator. This will not automatically be the spouse, son or daughter or even a close relative.

If the Executor or Administrator does not have a key to the property, we will ask for evidence of that person's legal status and identity before granting access to your property.

## **Existing key holders**

Hanover will continue to allow access to your property to all existing key holders, **although an Executor or Administrator may wish to withdraw keys from certain individuals**, particularly if they are not family members or people known to the family.