# Families warned of unexpected council tax charges on inherited properties amid second home premiums



Inheritance disputes lawyer Andrew Wilkinson has issued a caution to families overseeing estates about unexpected council tax charges that may arise on inherited properties, highlighting particular concerns around the so-called ‘second home’ premium imposed by some local authorities immediately following a death.

Under existing regulations, most local councils allow a grace period of up to six months during which no council tax is charged on properties left empty due to the death of the owner. This period is intended to give families time to obtain probate, arrange the sale of the property, and complete the necessary legal conveyancing. However, these processes often extend well beyond six months, leaving families exposed to unforeseen and potentially hefty council tax bills.

The warning follows reports concerning the Borough Council of King’s Lynn & West Norfolk, which applied a second home council tax levy on a property within an estate—even though the property was not utilised as a second home. In this instance, the six-month exemption was deemed inapplicable because the property was legally in the name of the deceased’s son at the time of death, leading the council to classify it as a second home on a technical basis.

Speaking to the Plymouth Herald, Andrew Wilkinson, head of inheritance disputes at Lime Solicitors, expressed his concern about councils’ actions. He said: “It’s deeply concerning to see councils imposing hefty council tax bills on grieving families who are already navigating the complex probate process. In all my years of practice, this isn’t something I have seen before, and it feels extremely unfair, especially when executors are actively trying to deal with the estate.”

Wilkinson emphasised the lengthy nature of probate matters, noting: “In most cases, it takes many months, often over a year, to obtain a grant of probate, arrange a sale and complete conveyancing. That means most families are already struggling with delays before they even get the chance to put the property on the market. If councils start piling on charges prematurely, it only adds to the emotional and financial stress.”

He advised families handling estate properties to engage proactively with their local authorities to clarify their situations and expected timelines, as this may allow negotiation for exemptions or relief from council tax liabilities. As an alternative, he suggested that renting out the property during the interim could potentially mitigate some financial burdens, although this option carries its own responsibilities and considerations.

The issue arises amid a broader nationwide initiative aimed at tackling the housing shortage in sought-after towns and rural areas. From 1 April 2025, over 200 local authorities across England gained authority to impose a 100% council tax premium on properties that are furnished but are not the owner’s main residence. This policy, introduced in 2023 by Michael Gove, specifically targets second homes, particularly in coastal towns where housing availability is constrained. It now affects a wider range of properties, prompting concerns about unintended consequences.

Wilkinson summarised his view on the policy’s impact: “This policy was designed to free-up housing, not penalise bereaved families. The loss of a loved one is already a challenging time. Families shouldn’t be further burdened by unexpected financial pressures due to administrative oversights or rigid policies. It’s imperative councils handle such situations with the sensitivity and understanding they deserve. Probate is complex enough without councils jumping the gun on tax.”

The Plymouth Herald is reporting on these developments, highlighting the challenges facing families during probate and the implications of evolving council tax policies in England.

Source: [Noah Wire Services](https://www.noahwire.com)