de Boet & Asociados
ABOGADOS · DERECHO CIVIL, MERCANTIL Y FISCAL

PRACTICAL GUIDE

First steps after a death

What to do, in what order and by when during the first six months. A checklist for families dealing with an inheritance in Catalonia.

de Boet & Asociados · Avenida Diagonal 468, 6ª planta — 08006 Barcelona

herencias.eu · 935 839 553

01 First 72 hours

- [ ] **Medical death certificate and registration with the Civil Registry**
  Usually handled by the funeral home. Ask for several copies of the full death certificate: you will need them for banks, insurers and the notary.

- [ ] **Locate the ID card, family record book and basic documents**
  Property deeds, bank contracts, insurance policies, payslips or pensions, tax returns for recent years.

- [ ] **Do not use the deceased's money or assets**
  Withdrawing funds, selling items or using cards may be deemed tacit acceptance of the inheritance and put your own assets at risk if there are debts. Funeral expenses may be paid from the estate.

- [ ] **Notify the owners' association and utility providers of the death**
  Only to avoid disconnections or surcharges; do not change the name on contracts yet.

02 First two weeks

- [ ] **Request the certificate of last wills**

  Available 15 working days after the death from the Ministry of Justice (in person, by post or online). It states whether there is a will and before which notary.

- [ ] **Request the certificate of death-cover insurance contracts**

  Same body and timeframe. It reveals life insurance policies the family may be unaware of.

- [ ] **Obtain an authorised copy of the will**

  From the notary where it was executed (or the one holding the records). If there is no will, a notarial declaration of heirs will be required.

- [ ] **Ask the banks for a statement of positions at the date of death**

  Balances, securities, loans, guarantees and cards. Essential for the inventory and the tax return. Accounts will be frozen until the estate is distributed, except for funeral expenses and taxes.

- [ ] **Notify the end of the pension and apply, where applicable, for the widow's or orphan's pension**

  With Social Security, within 30 days for the cancellation. Widow's and orphan's pensions have their own deadlines; the sooner they are requested, the sooner they are paid, with limited back-dating.

03 First and second month

- [ ] **Inventory of assets and debts**

  Land Registry (extract for each property), Cadastre, DGT for vehicles, the Bank of Spain's CIRBE for outstanding credit, Tax Agency and Social Security for debts. Without an inventory no safe decision can be made.

- [ ] **Decide how to accept the inheritance**

  Outright acceptance, acceptance with benefit of inventory (in Catalonia, a formal inventory within six months of learning of the entitlement) or renunciation. This is the most important decision; seek advice before signing anything.

- [ ] **Review the matrimonial property regime and the family home**

  In Catalonia separation of property applies by default; in other regions, community of property. It determines which assets belong to the estate and what rights the spouse has (usufruct, year of widowhood, widow's quarter).

- [ ] **Value the assets properly**

  Real estate: the cadastral reference value as the tax minimum, and an appraisal if the market is below it. Shares and businesses: valuation report. Valuation affects both the tax and the distribution.

04 Before the sixth month

- [ ] **File and pay inheritance tax**
  Six months from the death, with the Catalan Tax Agency (if the deceased lived in Catalonia). If you will not make it in time, request the six-month extension before five months have passed. It must be filed even if no tax is due.

- [ ] **Pay the municipal capital gains tax**
  For each urban property, with the town hall, within six months, extendable to one year. Ask for the main-residence relief where applicable.

- [ ] **Execute the deed of acceptance and distribution of the estate**
  Before a notary, with all heirs. If one does not cooperate, there are routes: formal notice, court-appointed partitioner, inventory and judicial partition.

- [ ] **Register the assets and change ownership**
  Land Registry, banks, DGT, Cadastre, utilities and owners' association. Keep all documents for at least five years.

05 If there is a dispute or doubt

- [ ] **An heir will not sign or does not respond**
  Notarial demand with a deadline; formal notice (art. 461-12 CCCat) and, if it persists, a court-appointed partitioner or judicial partition of the estate.

- [ ] **You believe you are entitled to a forced share and the will does not recognise it**
  In Catalonia it is one quarter of the computable estate, including gifts from the last ten years. The claim is time-barred after ten years. Calculate it and make a written demand.

- [ ] **You suspect the will does not reflect the deceased's wishes**
  Challenge for lack of capacity or defective consent. Gather medical and witness evidence as soon as possible.

- [ ] **There are assets or heirs abroad**
  Determine the applicable law (the deceased's habitual residence) and the taxation in each country before accepting. European Certificate of Succession for assets in the EU.

Deadlines not to leave to the last minute

6 months — inheritance tax (6-month extension if requested before the fifth month) and municipal capital gains tax (extendable to 1 year).

6 months — inventory to enjoy the benefit of inventory in Catalonia, from the moment the entitlement is known.

30 days — notify Social Security of the end of pensions.

10 years — limitation period for claiming the Catalan forced share.

Information document prepared by de Boet & Asociados (September 2026) under the legislation in force in Catalonia. It does not constitute legal advice; each case requires individual analysis. Enquiries and more resources at herencias.eu · info@herencias.eu · 935 839 553.