

# Ask the experts

Whether you're planning your move to France, or are already living there, our panel of professionals aims to keep you fully informed with the best advice for every eventuality

## HAPPY LETTINGS

**Q** *I'm planning to start letting out my house in France, but I'm worried about guests damaging my property. What measures can I take to prevent this?*  
EMMA PEABODY

**A** This is a common concern, although in my experience, complaints from owners about inappropriate guest behaviour or serious damage to a holiday rental property are rare. Perhaps that says something about people who choose France for their holidays! But, you ask what you can actively do to avoid problems, so I suggest these practical measures to help ensure that guests leave the property as they found it:

- **Request a refundable deposit.** Make it standard practice to ask for a refundable deposit to cover any accidental damage - owners often set this as a percentage of weekly rent. Return the funds due to the guest promptly after their stay.
- **Make personal contact** with guests when they enquire, and aim to form a relationship if they book. Already the business exchange is then more personal and visitors become engaged in caring for the property. Be enthusiastic and give them tips on enjoying the property's best points.
- **Think about extra touches.** Show that you care by making the property look attractive and guests will respond by taking care of everything. Emphasise this by adding personal touches like local wine in the fridge, garden flowers on the table, a good coffee-maker in the kitchen, soap in the bathroom

and a clock in the bedroom, for example.

- **Consider an efficient local manager.** Choose a person, or company, to hold your keys, clean and respond to emergencies, who is loyal, trustworthy and reliable, and who is both personable and professional. Make sure they stay in easy communication with you, and that they will be friendly to guests but also efficient in handling any problems.
- **Make friendly suggestions.** Leave one folder in the house with practical details, and then another folder with local information. Make your notes friendly and helpful with polite requests and personal suggestions.

GLYNIS SHAW

## SELLING A MOBILE HOME

**Q** *My friend has been widowed unexpectedly, and would like to sell her mobile home in France. She and her late husband were both shown as owners on the original purchase document for the mobile home, but the company they bought from appears to have always used the male partner as recipient of all bills and accounts. She is concerned that there may be some clause in French inheritance law that will affect her selling the mobile home, as she is now the only surviving owner. There are no children or step-children eligible for any inheritance, and her immediate next of kin are her sister and brother-in-law. Additionally, can you tell us whether a mobile home in France is classed as property, with regards to inheritance law? She wants to be prepared for any obstacles that may be thrown her way.*

ALAN STOKES

**A** A mobile home is generally treated in France as a moveable asset. However, questions may arise as to the spot on which the mobile home is situated: this might be owned absolutely by the couple. Alternatively (as is more probably the case) the couple may have owned a share in a company that runs the site, there being a right of occupation to a specific pitch which was attached to that share.

Either way, it is likely that further administrative steps would have to be taken before your friend would be able to sell: whatever was held in her late husband's

name would need to be transferred into hers. It is possible that all such steps would be addressed at the same time. In practice, the first thing she should do is speak to the camp administration, who may be able to assist both in explaining how to deal with the succession process, if necessary, and possibly the sale. Otherwise, speaking to specialist solicitors would be the next step.

MATTHEW CAMERON

## WHERE WILL WE BE TAXED?

**Q** *We currently have a restoration project in France (made up of a house and small potential gîte), which has been ongoing since 2004. As it's nearing completion, we are considering relocating to France and renting out our English property.*

*Can you tell us please how this would affect our tax/worldwide wealth, and what the implications are? We are in our late 50s and not in receipt of pensions (personal or government) yet. We own both the French and the English properties. We are still to make our*

*wills, but are not sure which country would be deemed as statutory legal inheritance if we choose this step.*

SARA MELLOR

**A** This is a detailed matter; in our reports relating to the implications of moving to France, we normally cover 60 pages, but I'll do my best with the limited space and information available!

Firstly, as French residents, you will be assessable for tax on your worldwide assets and income, with everything you have being declared in France, whether directly taxable or not.

How and where your UK income will be taxed is according to the UK/France double tax treaty, so you cannot choose where you declare and pay. Your UK rental income will be assessed and taxed in the UK, but must also be declared in France, where you will receive a credit. The same will apply to a civil service pension. Personal and state pensions are assessable only in France, and you will need to complete the appropriate HMRC



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paperwork in the UK to stop UK tax being taken at source.

With regard to inheritance, it is difficult to shed your UK domicile, but one quick way is to move to France. This is because there is a succession treaty between the UK and France, meaning that you are French domicile from the day of arrival.

Under the treaty, only UK property is dealt with under UK rules. Just to complicate matters, there is a new EU law coming into force as from 17 August 2015. This will, if it works as foreseen, allow you to select the country of your citizenship and have your estate managed under the succession rules of that country. The UK has no succession law, so you can leave your assets to whomever you wish.

Note that French inheritance tax is still applicable, as before, because the new EU law does nothing to place tax under UK rules, only succession law. French inheritance tax can be up to 60%, so some careful planning is likely to be required before moving.

ROBERT KENT

**This article is for general information purposes only and does not constitute legal or other professional advice. We would advise you to seek professional advice before acting on it.**

DO YOU HAVE A QUESTION TO PUT TO OUR PANEL OF EXPERTS? Email us at [editorial@livingfrance.com](mailto:editorial@livingfrance.com)

## The experts



**GLYNIS SHAW** is joint MD of French Connections holiday rentals and property sales online. [www.frenchconnections.co.uk](http://www.frenchconnections.co.uk)



**MATTHEW CAMERON** is partner and head of the French Legal Service team at law firm Ashton KCI. [www.ashtonkci.co.uk](http://www.ashtonkci.co.uk)



**ROBERT KENT** is director of Kentingtons, tax and investment consultants specialising in France. [www.kentingtons.com](http://www.kentingtons.com)