

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

A WILL AND A WAY

Q *I'm making a new will and am electing for it to be administered under UK law. I don't want to make a separate French will in case it invalidates the UK one, but I see the law states you must have the handing over of your French property dealt with by a notaire. Will they insist on doing a French will, and what are the likely charges?*

SAMANTHA SMITH

A It is certainly sensible to take extra care when writing wills in order to make sure to cover assets in different jurisdictions. There may, however, be a very good argument for having separate wills to cover the different estates.

A *notaire* in France would not necessarily insist on writing a separate will for the French property, although if that is what is proposed, it must be drafted with utmost care, to ensure that there is no risk of cross-over or unintended revocation, as is clearly (and rightly so) a major concern here.

A *notaire* could, in practice, suggest that a French will could not revoke a pre-existing English will, although English law would not be that lenient.

While it is possible to put the terms of an English will into effect in France, and indeed only have one will to apply to all of one's assets, this can give rise to its own complications.

With the new EU Regulation on inheritance matters having come into force on 17 August 2015, the application of English law might well be a suitable option.

Yet until they are then tested through the

courts (which may take years in the event of a case going all the way to the European Court of Justice), an element of doubt remains as to how this will work in practice.

There are, however, other options that may also be suitable, and it would be wise, therefore, to assess all of these in detail with specialist solicitors with a knowledge of both French and English law, to ensure that a detailed analysis of a person's situation can be carried out before taking any steps, whether in the UK or France.

MATTHEW CAMERON

HOLIDAY HOME

Q *My wife and I have young twin boys, and are looking for a holiday home in France that will require very little maintenance, preferably in an area with lots of things to do for both us and the children. We also want to rent it out when we are not there. How easy is this to do, what rental income can we realistically expect and what areas should we consider?*

JOHN ROBERTS

A This is quite a common set of property requirements for international buyers. For those who don't live near their holiday home, a low-maintenance property can prove ideal, as trying to manage repairs and dealing with any other issues that may occur - in addition to the rudimentary basics of renting out the property - can prove extremely time-consuming and expensive to do from abroad, especially as many people often don't speak French well enough to handle it themselves.



For those who don't live near their holiday home, a low-maintenance property can prove ideal

So, where to start looking, and what properties to consider? An old stone cottage in a quaint village, although alluringly charming, is often not the most appropriate property purchase unless you plan on travelling to France a couple of times a month and have a lot of time on your hands.

If you don't fall into this category, then consider the option of going for a new-build property (which you will often have to buy off-plan) with a management company on-site, who will be able to deal not only with the maintenance, repairs and security but also the rental of your property.

There are a good number of these places available in France - most often they are found in busy seaside resorts, in large cities or in the Alps, and so draw a great number of tourists, which in turn means that you are

most likely to get the best rental income. They often have additional facilities such as swimming pools, a reception and sports facilities, which help boost the attractiveness to potential holidaymakers looking to rent property in the area.

These types of properties are often leasebacks (limited personal use but with a fixed rental payment). However, you can find places that are free of any requirement to rent your property out for large chunks of the year. In terms of rental income, you can typically expect anything between 3% and 5% net if you allow it to be rented for most of the high season.

NICK DOWLATSHAHI

GÎTES VS B&B

Q *After many years of dreaming about making the move to France, I've finally made a decision! I've put in an offer on a large property, but need advice on whether to run it as gîtes or as a B&B. What are the main differences in lifestyle?*

LOUIS ROGERS

A Firstly, on a personal level, you will need to be friendly, tolerant, empathetic and dedicated to good service for both lifestyle options.

If you run gîtes, then regular practical chores include servicing and maintaining the properties, responding to emergencies and working intensively on change-over days to get the accommodation ready. Generally this happens once a week.

Regular hosting chores include welcoming guests on arrival, showing them their accommodation, explaining how everything works, and being on call to deal with queries and emergencies.

If you have several gîtes, you might bring people together for games or offer a weekly evening meal or barbecue. Guests can ask questions about the property and the area all in one go. You can also decide on a balance between privacy and availability, so you could have either an 'open door' policy for guests to come and ask for what they need at any time, or specified hours when you are 'in' and available to them.

Time out is good because if you get busy and stressed, you can meet friends and 'offload'. It's never appropriate to burden guests with your problems or involve them in local politics!

A B&B is more 'hands on' than gîtes, as you have strangers in your house. Depending on your location, your season may be longer.

Practical duties include cooking and serving a good breakfast, clearing away, cleaning and making up rooms daily. The average stay may be shorter than at a gîte, so there tends to be extra cleaning and checking in and out.

If you decide to offer the true *table d'hôte* experience, with a home-cooked evening meal, this demands more preparation and hospitality, so it's essential to be swan-like - serene on the surface while paddling like mad underwater.

Again, there are choices and variables. You can take time out in the middle of the day, have your own quarters separate from guest rooms, decide how much distance you want to maintain and judge how much privacy your visitors prefer.

GLYNIS SHAW

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.

The experts



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