



Case study

Two elderly sisters arguing over the sale of an inherited house and woodland left to them by their Great Aunt.

The problem

The Great Aunt had died, some 15 years previously, and left the house, grounds and woodland to her two nieces. The elder of the two sisters had permitted her son to stay in the house temporarily and this temporary arrangement had been allowed to continue. It transpired in time that in fact the house had been let to the son's friend who had paid rent to the elder sister, which she had kept and not shared with her younger sister. The younger sister now diagnosed with an illness requiring residential care had tried to negotiate with the elder sister to sell the house and split the proceeds. The elder sister had refused and had continued to let it to the family friend and keep the rent money. There was a small cottage in the woodland grounds that had been left empty since the death of the Great Aunt.

On arriving at the mediation session the younger sister said to Peter McHugh "you will not settle this". The matter was due for trial in a few weeks time and that would have cost tens of thousands of pounds. It transpired at the mediation session that the husband of the elder sister was unwell and that funds from the sale of the house would have been extremely beneficial to his care and treatment, despite this she was extremely reluctant to sell the house.

The solution

After a day and a half of negotiation, the matter was settled with both sisters doing a deal that they were both reasonably content with. The elder sister agreed to sell the house under the condition that the small cottage in the grounds was gifted to her son. The younger sister considered this a reasonable price to pay to resolve the 15 year disagreement.

The benefit

Both sisters avoided the costly court proceedings that were due to commence in a few weeks. The elder sister was contented, as she had managed to secure a home for her son. The younger sister, on the sale of the house would have the funds to pay for her on-going residential healthcare.