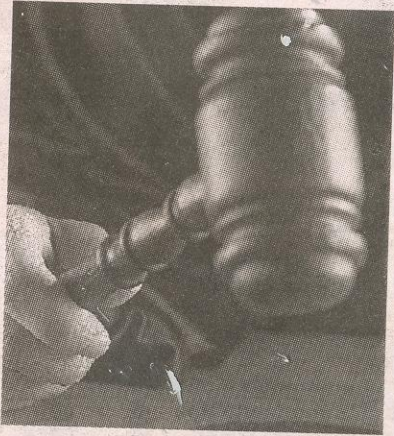


# My in-laws want me out of their home



**Dear Fida-Kenya,**  
I am a widow aged 45. My husband of 20 years died three years ago in a road accident. Two months after his burial at his ancestral home, my in-laws ordered that I go back to "where I came from". They said my national ID does not attest my loyalty to my late husband's family since it does not bear his name. My husband and I had many investments and I could lose a lot if I do not accept their demands. Kindly advise if I can change my ID names to read my late husband's name.

**Wanjiru Muiruri, Kiambu**

**Dear Wanjiru,**  
You and your children have a right under the law of succession to inherit your husband's property as dependants. You have not told us the kind of marriage you had and whether he died testate (with a Will) or intestate (without a Will) but even so you, as the surviving spouse has the right to inherit his property.

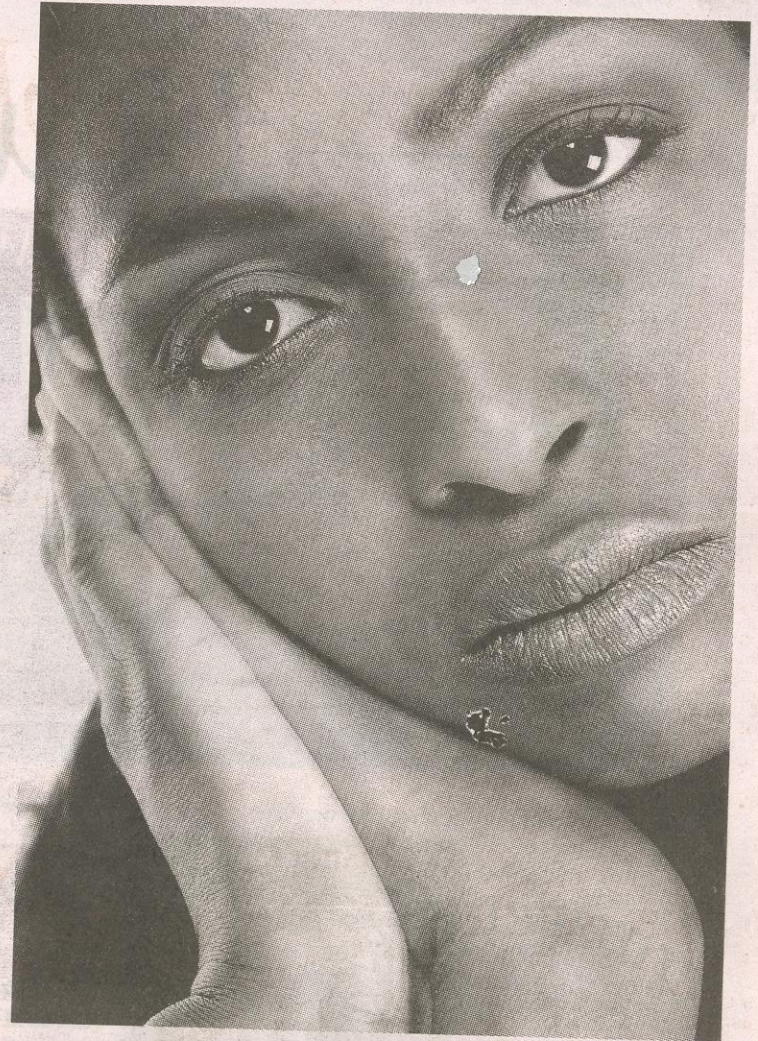
It is an offence under the same law to meddle with the property of a deceased

person and any person found doing so is guilty and liable to a fine.

You do not need to change the names on your ID. Simply file an application to the High Court where the value of the property exceeds 500,000 and to the Resident's Magistrate's court where the value is less than that to be granted Letters of Administration in respect of your husband's estate. The forms are available at the nearest court or DC's office. A death certificate as well as title documents for any immovable property must also be attached to the application. Two sureties will also be required before the forms are filed in court at a fee.

After the submission of the forms, the application has to be advertised in the Kenya Gazette for those wishing to object to file a Notice of Objection within 30 days from the day of the notice. Should there be no objection, it will be heard and determined in court and Letters of Administration issued.

After six months, you can again apply to the court for Confirmation of the Grant. Upon confirmation, you can then transfer the property to the beneficiaries or even sell them.



**Do you have a legal problem?**  
Ask our lawyers on  
[evewoman@standardmedia.co.ke](mailto:evewoman@standardmedia.co.ke)

know your rights

Q & A

With **FIDA-KENYA**