

124296 - He died and left behind a wife, a son and three daughters, then the wife died

the question

A father died five years ago and he had divided his estate whilst he was still alive. Now, five years later, the children are thinking about their shares of the estate and now there is nothing left but a house. In the family now there are a son and three daughters; the wife died during this period. How should they divide the estate, this house?.

Detailed answer

If the estate that the deceased left behind without dividing it is the house, and the heirs want to divide it, then it depends:

If the wife was the mother of the children mentioned, then her share of the estate should be divided among them, so the entire house should be divided between the son and the three daughters, with the male getting a share equal to that of two females. So the house should be divided into five shares, with each daughter getting one share and the male getting two.

So each daughter's share = the estate divided by 5.

The male's share = the estate divided by 5 and multiplied by 2.

If the wife was not their mother, then her share, which was one-eighth, goes to her heirs, and the rest of the house is to be divided among the children, with the male getting a share equal to that of two females.

In order to divide the house among the heirs, it should be divided into forty equal parts, whether by meters or by selling the house and dividing its price.

The wife gets one-eighth, which is five shares.

Each daughter gets seven shares.

The son gets fourteen shares.

And Allaah knows best.