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Caregiver loses battle with son of elderly client



By [Charles Ticker](#)

Caregiver accused of influencing loses court battle

A [recent story](#) I found online from Auckland, New Zealand is an example of the kind of scenario that is becoming more common as our population ages. The story involves a fight between a caregiver, an elderly man she cared for, and his son.

According to the story, the elderly man hired a woman in 1997 as a caregiver. She helped him with housekeeping, bed-making, and showering. She worked for him for a few months before moving on to another job. According to the caregiver, the relationship she had with the elderly man went beyond that of a caregiver and client as they became close friends over time.

The elderly man became very ill with cancer sometime in 2000. His son found a document in his father's house authorizing the caregiver to sign documents on his father's behalf. The son looked into the matter further and found a will among his father's documents that appeared to leave his entire estate to the caregiver. When the son asked the father about this document, he became very upset because he did not intend to leave everything to the caregiver.

The elderly man consulted his lawyers and executed a new will leaving everything to his son.

Bedroom baby monitor showed signs of influence by caregiver

The son installed a baby monitor in his father's bedroom. Over time, he became even more concerned about the caregiver's relationship with the elderly man. In the weeks leading up to his death, the man applied for \$50,000 worth of Bonus Bonds. These were placed in his and the caregiver's names jointly without the son's knowledge.

The caregiver claimed that the elderly man invited her over to sign papers related to the bonds. The son told the court that at the time this transaction took place his father was disoriented and confused in addition to being on morphine.

On the day the elderly man died, the son instructed his father's lawyers to call the bank and notify them that there may have been fraud involved in the transfer of the bonds. The bank placed a stop on the bonds. The matter dragged on for 16 years! A judge of the High Court in Auckland ruled in July 2017 that the caregiver had no legal or beneficial interest in the bonds. He declared the sole legal owners of the bonds to be the executors of the estate of the elderly man.

Unfortunately, financial elder abuse is becoming more common as our population ages. If you suspect an elderly relative is the victim of undue influence or financial abuse by a caregiver, it is important to take the necessary steps to deal with the situation promptly. The above story could have had a very different end if the son was absent from his father's life. It appears that the son became suspicious of the caregiver and was lucky to have found his father's will leaving everything to her. His father changed his will accordingly.



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Although it took a lengthy court battle, the son made sure his father's last wishes were fulfilled.



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Denise Koster, B.A.A., P.H.Ec. WVTS
Workplace Violence & Elder Abuse Specialist
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