**Section 108.160 Claims Against the Residents' Estates**

Maintenance charges unpaid upon the death of a resident or former resident shall constitute a claim against that resident's estate. The Department shall file a claim for unpaid maintenance charges against the estate in accordance with procedures prescribed by the Uncollected State Claims Act [30 ILCS 205] and the Illinois State Collection Act of 1986 [30 ILCS 210]. Upon the death of a resident with a personal fund deposited with the Home, the Home management must convey within 30 days the resident's funds, and a final accounting of those funds, to the individual or probate jurisdiction administering the resident's estate. Employees of an Illinois Veterans Home shall be prohibited from serving as the executor of a resident's estate. The Administrator (or Executor) of the estate, the attorney for the estate and/or other agencies or persons holding assets of the deceased resident shall be notified of the Department's claim against the estate.

(Source: Amended at 25 Ill. Reg. 8841, effective June 29, 2001)