

## Dispute over life partnership status fuels legal battle for estate

A recent case decided by the Western Cape High Court is a reminder of the importance of having a valid will. At the same time, it is also a reminder that it's not a simple matter to prove that two people were in a 'life partnership' with each other; couples must ensure there is clarity about this so that one of them is not left stranded and with no legal standing.

By [Lorraine Strydom and Kaamilah Paulse](#) 15 Jul 2025



Image source: [Freepik](#)

When Wilfred Craythorne died unexpectedly in November 2024, he left no will. And that one simple fact is the source of conflict between his romantic partner, Ruansa van Eeden and Craythorne's family, ultimately leading to court action.

Van Eeden's position is that, at the time of Craythorne's death, the two of them were planning for her to move, with her family, into his house. She had stayed there 'for years' in the past and the two arranged that she would go back to live there again. She says she was to give notice on her apartment and then would have gone to live in Craythorne's house, a place that she says she has done a great deal to decorate and improve.

But that move had not yet happened when he died, a fact stressed by the court in the legal action brought Van Eeden against Craythorne's mother, Sanlam Private Wealth and the Master of the High Court.

### **Both sets of keys handed to the family of the deceased**

Van Eeden's actions immediately after Craythorne's death suggest someone accustomed to freely handling his assets: she went to his house and collected his set of house keys. And when Craythorne's nephew, Warren, offered her a loan of R200,000 to 'tide her over', she declined, saying she had already drawn funds from Craythorne's account for that purpose. (That withdrawal was noted by members of the family and

caused at least one of them some disquiet.)

Once she collected the keys, Van Eeden gave one set to Craythorne's brother, Ryan. She says she did this so Craythorne's family, coming from overseas for the funeral, could stay in the house while they were in Cape Town.

However, the family then asked for the extra set of keys she held, stating that the number of people now staying in the house required both sets. She duly handed them over.



LAW OF SUCCESSION

Law of succession: ConCourt extends definition of 'spouse' to include life partners

Leanne Berriman 23 Oct 2024

---

## What about the cat?

Things deteriorated from there. While Van Eeden assumed she would be moving into the house and looking after it at least until the estate was wound up, the family had different ideas.

Her messages to members of the family about the keys and where they would stay while they were in Cape Town, all at least give the appearance of attempting to be helpful to them by organising accommodation in Craythorne's house and offering her assistance to make them comfortable while they were there.

The messages from family members take a very different line. They made arrangements to collect Craythorne's phone from her so that they could access his bank account. And instead of giving her access to the house, they asked Van Eeden for a list of things in the house that were hers so they could be packed up and returned to her.

While Van Eeden indicated that she expected to help with sorting out the house, and offered to be supportive to Craythorne's mother, who lives in Cape Town, once the rest of the family returned overseas, the family had other ideas. Van Eeden suggested that she was the person best positioned to take care of the house, and Craythorne's cat, until the executor decided what should happen next. However, her offer was turned down.

## Court asked to restore access and occupation

Then, at some point, she described herself as being Craythorne's 'life partner' and asked that her set of keys to the Craythorne house be returned. But the answer from the family was that once they went back overseas, the house would be locked, and she should address any queries to the legal representative at Sanlam Private Wealth. All the keys to the property, including the set that she described as hers, would be stored until an executor was appointed, they said.

Clearly, her view of her role in Craythorne's life and of the part she should play in sorting out his estate, was not shared by the family. Litigation soon followed, with Van Eeden bringing an urgent spoliation application

She asked the court to order that she was entitled to continue to occupy the property with her children, and interdict Craythorne's mother and Sanlam from interfering with her occupation of the property. She also wanted them barred from entering the property and to be ordered to give her the passcodes of the security system installed there.



## FAMILY LAW

### Disturbing the dead for DNA testing? High Court rules

Anelisa Zungu and Kaamilah Paulse 4 Jul 2025



## Don't 'prolong the agony that goes along with litigation'

However, there was strong opposition to her application and all the orders she sought.

While their initial opposition was based on whether the matter was urgent, Craythorne's mother and Sanlam also denied that Van Eeden had made out a case for any of the orders she wanted.

Judge Lister Nuku, who heard the matter, said while there might be a case for arguing that the litigation wasn't urgent, he would prefer not to 'delay the inevitable' by focussing on the urgency issue rather than the underlying dispute. He wrote:

“ Sometimes the interests of justice demand speedy resolution of disputes rather than prolonging the agony that goes along with litigation. ”

He then ran through the history of the matter, including the written messages exchanged between the two sides. While the Craythorne family sorted through the house and packed boxes for Van Eeden, she had begun to take legal advice.

He noted her claim that, from the advice received, she was then made aware, for the first time, of the extent of her potential claims under the Intestate Succession Act and the Maintenance of the Surviving Spouses Act.



## LAW OF SUCCESSION

### What happens when minors inherit immovable property in SA?

Tebello Setleko 25 Jun 2025



## 'No further interference' with her possessions

Her attorneys next emailed Sanlam Private Wealth, demanding that the keys to the property be returned to her by 23 December 2024.

They also requested an undertaking that all the items belonging to her or to Craythorne that had been removed from the property would be returned, that there would be 'no further interference' with her possessions or the possessions of Craythorne, and that nothing further would be removed from the property.

But Sanlam's representative refused to return the keys, saying that the property was owned by Craythorne and that since he died without a will, his mother was the nearest blood relative, and she would thus be the beneficiary of the estate.

To this, Van Eeden's lawyers responded by claiming that Van Eeden was Craythorne's life partner, and the

she was thus the heir to the estate. Van Eeden also wrote an angry email to members of the Craythorne family saying they 'defiled' his house and 'misled' her by appearing to be concerned about the well-being of herself and her children.

## What evidence of a 'life partnership'?

For her part, Gillian Venter, Sanlam's representative, said Van Eeden's attorney had not given her any evidence to support the claim that Van Eeden was Craythorne's life partner, and that they had 'undertaken reciprocal duties of support'.

Since Van Eeden's claim to have been his life partner was not substantiated, Van Eeden had no right to access the property or to be given the keys, Venter said. Craythorne's mother 'as the most likely beneficiary of the estate' should therefore have possession of the keys and take control of the assets until an executor was appointed.

Following that skirmish, Van Eeden swore to an affidavit substantiating her claim to be Craythorne's life partner, and that affidavit was submitted to the Master of the High Court. A copy was also submitted to Sanlam, but none of these steps helped resolve the dispute, leading to the case being brought before him. Judge Nuku said.



LAW OF SUCCESSION

The 3-month rule: Why updating your Will post-divorce is crucial

Jane Rushton 14 May 2025



## Van Eeden was not in occupation of the property

He said he found it strange that the spoliation action was brought to get back the keys, rather than possession of the house. This was because a spoliation action was 'not designed to protect access'.

Although Van Eeden's lawyers then changed course, arguing in court that the keys were the means through which she would regain occupation and possession of the house, there was a major problem in the new approach.

This was that Van Eeden was not occupying the property at the time of Craythorne's death, nor when Van Eeden handed the keys over to Craythorne's family. And her evidence that she and Craythorne had 'discussed' her 'moving in' was a further indication that she wasn't in occupation of the place even though she had the keys.

The court was therefore unable to grant her an order for the return of the keys. She also failed to satisfy the court that the other orders she sought should be granted. Consequently, the judge dismissed her application, with costs.

[Read the full judgment here](#)



---

## Difficulties in taking the matter further

Judge Nuku said the case didn't require him to decide the issue of whether Van Eeden and Craythorne were life partners. But the failure of this initial case – plus the legal costs involved – will likely make Van Eeden reconsider pursuing the matter further, especially in light of the judge's comments about her not occupying the house at the time of Craythorne's death.

It's a sorry tale, however you look at it. Without a will, the dispute between Van Eeden and the Craythorne family always seemed destined to end up in court, with the inevitably attendant time, cost and stress. This would all have been avoided had Craythorne left a will. And, of course, those involved will never know his intentions regarding his estate - or whether he wished his mother, Van Eeden, or anyone else to inherit.

As for proving whether the two were indeed 'life partners', this could well be taken up again in court by Van Eeden, but earlier cases have made it clear that this is not a status that is there for the taking.

Anyone in the shoes of Van Eeden will need to convince the judges of the standing of the relationship, satisfying the court via a range of tests, that it was a connection worthy of such a label.

There's much to be said for clarifying the legal standing of relationships through clear contracts, ensuring that this painful ambiguity is avoided.

### ABOUT THE AUTHOR

Lorraine Strydom and Kaamilah Paulse are Directors at Herold Gie Attorneys.