

Probate and Administration Pricing

We understand that when someone close passes away that this can be a difficult and distressing time for all involved. In particular with those asked to deal with the administration of the estate.

We can provide a range of services to help you through what can be a difficult time.

APPLICATION FOR PROBATE (WHERE THERE IS A WILL)

Concerning the handling of the administration, unless the estate is very small and with no freehold or leasehold property (such as a house or flat), the personal representatives will have to obtain a Grant of Representation from the Probate Registry showing their entitlement to deal with the estate. We will probably be able to tell you straight away if a Grant is needed.

How much does this service cost?

Our fixed fees for obtaining a Grant of Probate or Letters of Administration will usually be in the range of £750.00 to £1,500.00 plus VAT and any disbursements. Disbursements are costs related to your matter that are payable to third parties, such as Court fees. We handle the payment of the disbursements on your behalf to ensure a smoother process.

As part of our fixed fee we will:

- Provide you with a dedicated and experienced probate solicitor to work on your matter.
- Identify the legally appointed Executors or Administrators and beneficiaries.
- Accurately identify the type of probate application you will require.
- Obtain the relevant documents required to make the application.
- Complete the Probate application and the relevant HMRC forms.
- Draft the legal statement in support of your application.
- Make the application to the Probate Court on your behalf.
- Advise you when the Grant has been issued.

The price also assumes that:

- There are no disputes between the beneficiaries or the Executors.
- There is no Inheritance Tax payable and only a short form HMRC return is required.
- There are no claims being made or likely to be made against the estate.
- There are no additional issues or complexities involved in the administration.

How long will the work take?

It is difficult to be precise but on average estates that fall within this range are dealt with within 6 months. Typically obtaining the Grant of Probate takes 8 to 10 weeks. Collecting assets then follows which can take between 3 and 4 weeks.

Disbursements

1. Probate Court fee of £155.00.
2. Bankruptcy only Land Charges Department searches £2.00 per beneficiary.
3. Office copies of the Grant at £1.50 per copy.

APPLICATION FOR LETTERS OF ADMINISTRATION (WHERE THERE IS NO WILL)

Where the deceased did not leave a Will then an application must be made, again to the Probate Registry for Letters of Administration. We will be able to advise you as to who is entitled to apply for a Grant in those circumstances.

How much does this service cost?

The procedure is largely the same as making an application for a Grant of Probate and the cost and time involved will usually be about the same. The fees would be the same or similar to those which we have set out above.

THE ADMINISTRATION OF THE ESTATE

Where the estate is complex or this firm is appointed to act as Executors then our costs would be calculated according to the time spent by solicitors and legal staff in dealing with the estate and a value element. This is a percentage of the gross value of the estate, as the monetary value involved is one measure of the extent of the responsibility falling on this firm.

The time element involves meetings, discussions, preparation, perusal of documentation, travel and other work progressing the administration of the estate. The hourly charging rate (excluding VAT) is £200.00. The VAT will be added at the current rate.

Short and routine telephone calls (made and received by us) are charged at £20.00 per item, as are short and routine letters and emails (written and received).

The value element is calculated as 1% of the gross value of the free estate for the purposes of Inheritance Tax.

If there is a property to be sold there will be a separate conveyancing fee and a quotation will be given once a buyer is found.

Factors to be taken into account when considering the complexity of the administration may include:

1. Whether Inheritance Tax is payable.
2. Whether there are properties comprised in the estate.
3. Where there is a portfolio of stocks and shares.
4. Where the nature and extent of the assets are large.
5. When there is a foreign property.
6. If there are any missing beneficiaries who have to be traced.

7. Where there are a large number of beneficiaries whether stated in the Will or when the person who has died did not leave a Will.

Disbursements

The disbursements involved in the administration of the estate would include this set out above but also may include:

1. Valuers fees.
2. Experts fees.
3. Enquiry agents fees in tracing missing beneficiaries.
4. Indemnity fees.
5. The cost of Trustee Act notices.

How long will the administration take?

It is difficult at the beginning of the administration of most estates to say how much work will be involved. This can be affected by the involvement of third parties such as banks and building societies, estate agents, valuers, HMRC and HM Courts and Tribunals Services and the Department of Work and Pensions. On average we would anticipate administration to take between 6 to 12 months.

Who will carry out the work on your behalf?

The work will be undertaken by solicitor/partner Tony Hetherington who has considerable experience in dealing with Wills, Probate and estate administration.