

Costs - Administration of an estate

The administration of an estate – commonly referred to as Probate – is dealt with by our Private Client team:- www.warners-solicitors.co.uk/expertise/legal-services-individuals/probates-estates

This work is undertaken on a time spent basis. Each solicitor or legal executive has an hourly rate, and our fees are based on the amount of time that is spent in order for the work to be completed. The hourly rates depend on the level of experience of the person handling the work and range from £275 plus VAT to £130 plus VAT.

We have set out below two standard cases and the likely range of the fees that we would expect to charge in those circumstances. The aim is to provide an indication of our likely fees, but there are many factors which could increase or decrease the amount that is charged.

We would be happy to discuss the circumstances of each individual case in order to provide a more accurate estimate of our likely fees. You will see that each case has two stages to the anticipated work, and we can provide a fee estimate for stage 1 only, for example.

Case 1

In this example

- The deceased leaves a valid Will, appointing one executor.
- The Will leaves all of the assets to one beneficiary.
- The assets include one property and two bank accounts.
- No inheritance tax is payable and a full account does not need to be submitted.
- The administration of the estate is non-contentious.

We would need to complete the following work

Stage 1

- Obtaining values for the assets and liabilities of the estate
- Preparing the short inheritance tax return.
- Drafting the executor's oath.
- Submitting the application to the Probate Registry.

Stage 2

- Receiving the Grant of Probate from the Probate Registry.
- Collecting in the bank account balances.
- Settling any outstanding liabilities.
- Preparing estate accounts.
- Distributing funds to the beneficiary.

Timescales

On average, the administration of this type of estate would take approximately 6 months. We would aim to complete stage 1 within 3 months, and to complete stage 2 within a further 3 months. The timings could change depending on how long it took to sell the property, for example.

Our fees and additional costs

- Our fees to complete both stages would be in the range of £3,000- £5,000 plus VAT.
- Our fees to complete stage 1 only would be in the range of £2,000- £3,000 plus VAT.
- In addition to our fees there would be the following additional costs:
 - Court fee £155.
 - Swear fee £7.
 - Additional copies of the Grant of Probate 50p each
- There may also be additional costs for bankruptcy searches, which are £2.00 per name on the Land Registry website, or for advertising for unknown creditors of the deceased, this can be in the range of £200- £300 plus VAT.

Case 2

In this example

- The deceased leaves a valid Will, appointing two executors.
- The Will leaves all of the assets to the deceased's three children.

- The assets include a property, five bank accounts, and an investment portfolio.
- Inheritance tax is payable and a full account needs to be submitted.
- The administration of the estate is non-contentious.

We would need to complete the following work

Stage 1

- Obtaining values for the assets and liabilities of the estate.
- Preparing the full inheritance tax return.
- Drafting the executor's oath.
- Submitting the application to the Probate Registry.

Stage 2

- Receiving the Grant of Probate from the Probate Registry.
- Collecting in the bank account balances.
- Selling or transferring the investment portfolio.
- Settling any outstanding liabilities.
- Obtaining inheritance tax clearance from HMRC.
- Preparing estate accounts.
- Distributing funds to the beneficiaries.

Timescales

On average, the administration of this type of estate would take approximately 12 months. We would aim to complete stage 1 within 6 months, and to complete stage 2 within a further 6 months. The timings could change depending on how long it took to sell the property, for example, or to realise/transfer the investment portfolio.

Our fees and additional costs

- Our fees to complete both stages would be in the range of £5,000- £10,000 plus VAT.
- Our fees to complete stage 1 would be in the range of £4,000- £6,000 plus VAT

- In addition to our fees there would be the following additional costs:
 - Court fee £155.
 - Swear fee £7.
 - Additional copies of the Grant of Probate 50p each
- There may also be additional costs for bankruptcy searches, which are £2.00 per name on the Land Registry website, or for advertising for unknown creditors of the deceased, this can be in the range of £200- £300 plus VAT.

Some factors that could increase our fees in both cases

- Subsequent discovery of additional assets or liabilities.
- Dealing with the sale or transfer of property.
- Cases where the deceased did not leave a Will, or the validity of the Will is in doubt.
- Dealing with utility providers, insurers and similar for the property.
- If the Will included legacies.
- Preparing administration period tax returns to declare income or capital gains.
- Advice on Agricultural or Business Property Relief.
- Estates with a foreign element.
- Cases where the deceased made substantial lifetime gifts or created trusts.
- Wills which create continuing trusts.
- Prolonged negotiation with HMRC over asset values.
- Inheritance tax planning advice for beneficiaries.

Meet the Team

Details of the individuals who will carry out the work for you including their experience and qualifications and the lawyers who supervise them can be found here:- www.warners-solicitors.co.uk/people