

Costs - Administration of an estate

The administration of an estate, commonly referred to as Probate, is dealt with by our Private Client team.

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 £430 plus VAT to £240 plus VAT.

We have set out 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 either obtaining the Grant of Probate or completing the administration of the estate.

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 as a separate transaction which will be charged accordingly.
- 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.

Additional Information

- The fee estimates stated above do not include any fees for the sale or transfer of the property or any additional tax work. We would be happy to provide a quote for this work.
- The fee estimates will increase if there are any disputes between the executors and/or 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 on our website:- www.warners-solicitors.co.uk/people

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.

We would need to complete the following work

To Grant of Probate

- Obtaining values for the assets and liabilities of the estate.
- Preparing the short inheritance tax return.
- Drafting the Statement of Truth.
- Submitting the application to the Probate Registry.

After Grant of Probate

- 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 8 - 12 months (subject to delays at the Probate Registry and the Land Registry). The timings could change depending on how long it took to sell the property, for example.

Our fees

- Our fees to Grant of Probate only would be in the range of £5,000 - £10,000 plus VAT.
- Our fees to complete the administration of the estate would be in the range of £10,000 - £15,000 plus VAT.

Additional costs for both cases

- Court fee - £300.
- Additional copies of the Grant of Probate - £16 each
- There may also be additional costs for bankruptcy searches, which are £6 plus VAT per name for each beneficiary, or for advertising for unknown creditors of the deceased, this can be in the range of £300 - £400 plus VAT.
- There will be a fee of £16 per person for ID checks.

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.

We would need to complete the following work

To Grant of Probate

- Obtaining values for the assets and liabilities of the estate.
- Preparing the full inheritance tax return.
- Drafting the Statement of Truth.
- Submitting the application to the Probate Registry.

After Grant of Probate

- 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.
- Settling the estate's income tax

Timescales

On average, the administration of this type of estate would take approximately 15 - 24 months. The timings could change depending on how long it took to sell the property, or to realise/transfer the investment portfolio.

Our fees

- Our fees to Grant of Probate would be in the range of £10,000 - £15,000 plus VAT.
- Our fees to complete the administration of the estate would be in the range of £25,000 - £30,000 plus VAT.