

## **Probate and Estate Administration Prices**

### **People carrying out probate and estate administration work.**

Probate and Estate Administration work is undertaken by the Partners Ryszard (Richard) Trębacz (admitted in 1979) and by David Isbister, Chartered Legal Executive (admitted in 2001), member of the Society of Trust and Estates Practitioners and Lifetime Lawyers.

We are accredited under the Law Society's Wills and Inheritance Quality Scheme and have experience acquired across a varied and broad range of Probate applications and Estate Administrations including of estates involving overseas assets, of deceased persons dying domiciled in the UK or whose estates abroad are otherwise liable to UK inheritance tax. We have also dealt with the admission to probate of wills which on the face of them were not valid but which were subsequently admitted to probate because of the deceased's personal circumstances or connection with a foreign country.

### **Price Information**

The information below is given by reference to an estate not attracting inheritance tax because:

- the estate involves property or assets valued at no more than £325,000; or
- it is an estate (including possibly a variety of assets but all UK) of up to £3,000,000 passing to a surviving spouse or to a civil partner or to a charity; or
- it is an estate, currently, of up to £1,000,000 if you are entitled to claim the unused Nil Rate Band and the unused Residence Nil Rate Band.

Each such estate requires different time input, treatment and consideration and if you were to be entitled to claim the last mentioned reliefs, submission of a full set of Inheritance Tax Accounts to HMRC and their approval before the application for the grant can be made. Every such estate will attract different costs and we have tried to estimate the likely costs ranging from an estate where you will provide some of the information of what comprises the estate without our needing to correspond with banks insurance companies and others (we are very happy to deal this aspect) to estates where you instruct us to deal with everything reasonably incidental to the administration of an estate within the parameters set within the possible minimum and possible maximum costs ranges indicated below.

It is difficult to provide realistic estimates, even on a non-binding basis, without knowing

- what the estate consist of,
- how it is to be distributed,
- whether the will leaves room for doubt or is subject to different interpretations,
- whether the deceased's income and capital taxes affairs are settled and
- whether preliminary advice will have to be given.

Any further instructions would have to be the subject of an additional cost estimate, when full details are provided.

### **Average Costs**

There is really no such estate as an 'average' estate. Each estate is different, involving different elements and factors. However, in order to give you a very broad indication and depending on matters such as whether you would wish to place statutory advertisements for claimants against the estate (as we advise) and assuming that if you do then that the advertisement fees would be an average of the items below and omitting the Bankruptcy Search fee (£2 per beneficiary as the number of beneficiaries is not known) and allowing for just one copy of the grant, we estimate that our fees would range from £5,000.00 (of which £4,200.00 would be paid to us with the rest comprising taxes and disbursements payable to third parties) to £6,100.00 (of which £5,250.00 would be paid to us with the rest being paid to third parties as above).

Disbursements included in the above estimate:

- Probate application fee (currently) of £300.00 plus £1.50 for an additional copy of the grant
- Bankruptcy-only Land Charges Department searches (£2.00 per beneficiary)
- £300 - £400 (including VAT) paid to an agency for a statutory advertisement in The London Gazette-protecting against unexpected claims from unknown creditors, and newspaper local to the deceased's residence.
- £10 - £100 AML searches.

Disbursements are cost 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

### Potential additional costs

- If there is no will or the estate consists of any shareholdings (stocks and bonds) there are likely to be additional costs that could range significantly depending on the estate and how it is to be dealt with. We can give you a more accurate estimate once we have more information.
- Dealing with the sale or transfer of any property in the estate is not included. We will provide you with a further estimate if the administration were to involve such a sale or transfer.

- Advising on any outstanding tax affairs and any matter unforeseen by the above, such as claims against or by the estate.
- The above is by way of example not by way of an exhaustive list.

For estates attracting inheritance tax or involving estate abroad, or including the deceased's business interests or holdings in companies whether or not attracting Business Property Relief, or requiring the conclusion of tax affairs or our having to deal with claims whether by creditors or others, and other such matters, an estimate specific to the estate and circumstances will be provided when we are given full details. However as an indicative only, the administration of such an estate not involving further time consuming difficulties such as possible litigation (when a new cost estimate would be provided) is likely to occupy some 20 to 50 hours of work at £350.00 per hour plus VAT. You will always be in control of our instructions and of the costs budget.

We do not charge a % of the value of the estate in addition to our hourly rate and we charge the same for our time regardless of the value of the estate.

### **How long will this take?**

We are experiencing delays with both HMRC and the Probate Registry, and in addition financial institutions are taking longer to respond. As a result, on average, estates that fall within this range are dealt with within 9 to 12 months (sometimes less and sometimes longer, for instance if there is a house to sell) from the point when the Executor statement of truth to the point of distribution of a straightforward estate. Typically, obtaining the grant of probate takes around 6-8 months from submission of the application, depending on the court and if there are no requisitions. Collecting assets then follows, which can take between 6-8 weeks, depending on third parties (eg Banks, share registrars etc....) Once this has been done, the assets can be distributed, which normally takes 4 to 6 weeks after the collection of the last of the assets and payment of all estate and administration liabilities and allowing for the preparation of estate accounts and approval of these. If any unforeseen delays were to occur then we would let you know. The above timescales apply only to simple and straightforward estates not involving any claims and in particular any claims under the Inheritance (Provision for Family and Dependents) Act 1975 when we would not advise you to distribute the estate before the expiration of a full 10 month period after the date of the grant to allow for the possibility of the issue of such a claim and its service. More complicated estates could take much longer to administer. We will always try to give you a realistic time and costs estimate when we have full details