



# UNCONTESTED PROBATE (UK ASSETS ONLY)

## TYPICAL LEGAL COSTS Updated 23/12/2018

---

There are two aspects to the charges we make in acting for you in connection with the Administration of an Estate –

- (a) Our Standard Legal Fees; and
- (b) Disbursements and ancillary charges

### (a) OUR STANDARD LEGAL FEES

Our charges are calculated with reference to an hourly rate of £225 plus vat for the work we do. The amount of work that we do depends on a wide range of factors, the main ones of which are:-

- How many assets there are to be gathered in.
- What the assets are – are they property, bank accounts, shareholdings, insurance policies or other financial assets.
- Whether there are physical assets such as antiques or artworks and is so the extent of those.
- Whether any assets are overseas.
- The nature and complexities of the Estate's liabilities.
- The content of and provision made by the Will.
- The value of the Estate and the work needed in relation to taxation issues.
- The number of executors and the number of beneficiaries and other interested parties that we need to correspond with.

---

After our initial appointment we will be able to estimate the number of hours we believe will be needed to deal with the administration. No two cases are the same but the following are examples:-

- Estate covered by simple Will comprising three non-property assets total value £200k our fees would range from £750 - £995 (plus vat and disbursements).
- Estate covered by simple Will comprising three non-property assets and one property asset no Inheritance Tax payable total value £750k our fees would range from £1,500 - £2,000 (plus vat and disbursements).
- Estate covered by simple Will comprising ten non-property assets and two properties with Inheritance Tax payable and a total of ten beneficiaries total value £1.5 million our fees would range from £3,000 - £5,000 (plus vat and disbursements).

---

Our Fees do not include VAT and this is charged at the current rate. If there is a property in the Estate that is to be sold then the costs of sale are not included and we would refer you to our guidance on sale fees for those costs. If a property is to be transferred to beneficiaries then that work will be carried out as part of the Administration and the normal hourly rate will apply. Sometimes it may be necessary for specialist Tax advice

to be provided and/or in relation to Deeds of Variation. In such cases we will estimate separately what the likely charges will be.

These figures are guides. We will always provide Estimates tailored to what we know of your specific case after you first instruct us and we are aware what your case is likely to involve.

## **(b) DISBURSEMENTS & ANCILLARY CHARGES**

In addition to our standard legal fees there will be other fees payable which include –

Probate fee	The fee paid to HMCTS for the Grant. This is currently £155 plus £0.50 for each sealed copy Grant. These fees are likely to increase in the near future and become variable depending on the size of the Estate.
Trustee Act Notice Fees	If these are required there is a fee of £101.52 inclusive of VAT payable to The London Gazette.
Telegraphic Transfer	We make a charge of £40 plus vat for each telegraphic transfer payment. This is a professional fee and is made for the time involved in making the payment, it is not a bank charge. We do not charge for cheques or BACS payments.
Land Registry Fees	The Land Registry is the property equivalent to the DVLA for cars. It is a central registry of land ownership. A fee is payable to register a change of ownership and this fee depends upon the property value. A small fee is also payable to obtain copy register entries. Fees can be viewed on their calculator found at: <a href="http://landregistry.data.gov.uk/fees-calculator.html">http://landregistry.data.gov.uk/fees-calculator.html</a>
Will Searches	If appropriate Certainty, The National Will Register provide a variety of search options. Their website including fee information can be found at <a href="http://www.nationalwillregister.co.uk">www.nationalwillregister.co.uk</a>
UAR Searches	Searches of the Unclaimed Assets Register, if undertaken, are £25 plus vat.

## **KEY STAGES**

The key stages in an uncontested administration are:-

- identifying the legally appointed executors or administrators;
- identifying the beneficiaries;
- carrying out identity checks on the above;
- obtaining the relevant documents required to make an application for a Grant;
- completing the application and the relevant HMRC forms;
- drafting a statement of truth for the applicant(s);
- submitting the application;
- arranging payment of any inheritance tax due;
- settling liabilities;
- paying legacies;
- tax compliance for the estate administration period;
- preparing estate accounts;
- obtaining all necessary tax clearances;
- collecting and distributing all assets in the estate in accordance with the Will or the intestacy rules (as appropriate).

## **TIMESCALES**

The length of time taken to administer an estate will depend on a number of factors, including whether any inheritance tax is payable, the complexity of the assets and the ease with which they can be realised, and the length of time it takes HMRC and other relevant organisations and individuals to deal with matters. On average, estates of the sort quoted as examples above usually take around three months from receiving the executors' instructions to obtaining the Grant of Probate, and a substantial interim distribution would normally be made within three months of getting the Grant, but it can take up to 12 months to obtain all necessary tax clearances from HMRC to enable the administration to be concluded. In some cases assets are available more swiftly, and in those cases we will advise regarding the risks of an early distribution so that Executors can make an informed decision as to how swiftly they wish to proceed.

This publication is not meant as a substitute for advice on particular issues and action should not be taken on the basis of the information in this document alone.

This firm is not authorised by the Financial Conduct Authority (the FCA). However, we are included on the register maintained by the FCA ([www.register.fca.org.uk](http://www.register.fca.org.uk)) so that we can offer a limited range of investment services (including insurance mediation activities) because we are authorised and regulated by the Solicitors Regulation Authority (the SRA). We can provide these services if they are an incidental part of the professional services we have been engaged to provide. Mechanisms for complaints and redress if something goes wrong are provided through the SRA and the Legal Ombudsman.

E J WINTER & SON LLP processes your personal data in connection with the operation and marketing of a legal practice and in accordance with our privacy policy at [www.ejwinter.co.uk/privacy](http://www.ejwinter.co.uk/privacy). We will occasionally send you information relating to the firm however if you would prefer not to receive this information or would like us to amend your contact details and/or mailing preferences, please notify us by email: [sols@ejwinter.co.uk](mailto:sols@ejwinter.co.uk).