

Probate and Administration of Estates – Pricing Information

All Probate and Administration of Estates matters are dealt with by Kelly Keeble our Private Client Solicitor who has over ten years experience in this area and is a member of the Society of Trust & Estate Practitioners (STEP). Her work is overseen by our Senior Partner John Philpott.

We can assist by dealing with the entire process of administering an estate or by just dealing with specific stages of the process.

What is Probate? And what is involved in the Administration of an Estate?

A Grant of Probate is a Court sealed document that enables the executors of a Will, that wish to act, to deal with the assets of the deceased. Where the deceased has no Will then the Court document is known as a Grant of Letters of Administration and this enables those entitled under the Rules of Intestacy (<https://www.gov.uk/inherits-someone-dies-without-will>) to deal with the deceased's estate in the same way as an Executor.

Once Probate or Letters of Administration have been granted then it gives authority to the person or persons named in the Grant to deal with the estate. This would include closing Bank and Building Society Accounts, closing or selling investments, selling any property, once the funds have been collected in the debts and other liabilities of the deceased or their estate need to be paid before the estate can finally be distributed to the beneficiaries.

An overview of the tasks to be carried out in administering an estate:

1. Register the death and arrange the funeral
2. Ensure the property and other valuables are insured and secured
3. Ascertain if the deceased left a Will
4. Identify the executors and beneficiaries or alternatively those entitled under the rules of Intestacy
5. Obtain information about the deceased's estate including their assets, liabilities, expenses and gifts made during their lifetime
6. Calculate the value of the estate
7. Review whether Inheritance Tax is applicable, taking into consideration any relevant allowances
8. Prepare the Court application papers and accompanying HMRC forms
9. Apply to the Court for the Grant of Probate or Letters of Administration
10. Collect in all the assets by closing accounts and selling investments

11. Sell or transfer the property
12. Pay both the debts of the deceased and all the estate's debts, taxes (income tax, capital gains tax and inheritance tax) and expenses
13. Deal with any claims against the estate, for example DWP recovery of any overpaid benefits
14. Pay the legacies in accordance with the Will
15. Finalise the estate accounts and obtain approval of these firstly from the executors and then from the beneficiaries
16. Distribute the funds within the estate

Our fees for applying for the Grant of Probate and Collecting and Distributing the Assets – Full administration service

If we are instructed to apply for the Grant of Probate and deal with the administration of the deceased's estate as above then, we anticipate that this will take between 15-25 hours at £220.00 per hour and the total cost of our fees excluding disbursements will be between £3,300.00 – £5,500.00.

In addition, we will charge a percentage fee for the responsibility of dealing with the Estate which is 0.5% on the value of the house and any other properties and 1% on other assets.

The exact cost will depend on the individual circumstances of the matter. For example, if there is one Beneficiary and no property, the costs will be at the lower end of the range. If there are multiple Beneficiaries, a property and multiple bank accounts, then the costs will be at the higher end. VAT at 20% is payable on the total amount of our costs including the percentage fee.

This quote is for Estates where all of the following apply:

1. There is a valid Will;
2. The deceased was domiciled in England and Wales (born, lived and died there)
3. There is no more than one property;
4. There are no more than three bank or building society accounts;
5. There are no other intangible assets;
6. There are between 1 – 4 Beneficiaries;
7. There are no disputes between Beneficiaries on division of assets. If disputes arise, this is likely to lead to an increase in costs;
8. There is no inheritance tax payable and the Executors do not need to submit a full account to HMRC for any other reason;
9. There are no claims made upon the Estate;
10. We are not appointed Executors under the Will.

If any of the above points do not apply, then please contact us for a quote.

Disbursements to be paid in addition to our fees

1. Probate application fee: £155.00;
2. Sealed grant: £1.50 per copy (1 per asset)
3. Bankruptcy only Land Charges Department searches: £2.00 per Beneficiary;
4. Advertisement posted in the London Gazette and in the local newspaper to protect against unexpected claims from unknown Creditors: approximately £200.00;

Disbursements are costs related to your matter that are payable to third parties such as Court fees. We handle the payments of 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 is likely to be additional costs that could vary significantly depending on the Estate and how it is to be dealt with. We can give you a more accurate quote once we have more information.

Dealing with the sale or transfer of any property in the Estate is not included. We are however happy to deal with this for you at an additional cost, please see our Conveyancing charges section.

How long will this take?

On average, Estates that fall within this range are dealt with within 6-12 months. Typically obtaining the Grant of Probate takes 12-24 weeks. Collecting assets then follows which can take a further 8-24 weeks. Once this has been done, we can distribute the assets which normally takes 4-8 weeks. If there is a property to be sold or if income tax is due for the administration period, then this could take longer than the time scales above.

Our fees for applying for Grant of Probate only

You can choose to instruct us to help you through this difficult process by obtaining the Grant of Probate. You will need to provide us with the relevant date of death figures for the deceased's assets to enable us to complete the papers to apply to Court for the Grant of Probate on your behalf as executor. Once this is received, we will send the sealed copies to you to enable you to undertake the Administration of the Estate including the collection and distribution of estate, under the terms of the Will, yourself.

How much does this service cost?

Total fixed fee of £1,445.00 including VAT on the basis that all of the points listed under "this quote is for Estates where all of the following apply" referred to above applies.

Breakdown of Costs

- Legal fees: £900.00;
- VAT on legal fees: £180.00;
- Disbursements: £365.00 (as below);
- Probate Court fee; £155.00;
- Four office copies of Probate: £6.00;
- Two Bankruptcy only Land Charges Department Searches: £2.00 per Beneficiary;
- Advertisement posted in the London Gazette and in the local newspaper to protect against unexpected claims from unknown Creditors: approximately £200.00.

Disbursements are costs related to your matter that are payable to third parties such as Court fees. We handle the payment of disbursements on your behalf to ensure a smoother process. This work is included in our fixed fee.

As part of our fixed fee, we will:

1. Allocate your matter to Kelly Keeble our dedicated and experienced Probate Solicitor;
2. Identify the legally appointed Executors and Beneficiaries;
3. Accurately identify the type of Probate application you require;
4. Ascertain the relevant documents required to make the application;
5. Complete the Probate application and the relevant HMRC forms;
6. Draft a Statement for Executors;
7. Make the application to the Probate Court on your behalf;
8. Obtain the Probate and send the required copies to you.

Typically, obtaining the Grant of Probate takes 3-6 months.

Intestate Estates

If somebody dies without a Will, a set of statutory rules govern who inherits and who is entitled to deal with the Estate. If this applies, then please contact us to discuss further. Some intestacies will be straightforward and others more complex. For this reason, we cannot provide a quote for an intestacy without further information to enable us to estimate the time required to deal with the matter.

Wills and Lasting Powers of Attorney (LPA's) – Pricing Information

These matters will be dealt with by either John Philpott – Partner and Solicitor, Robert Adams – Partner and Licensed Conveyancer or Kelly Keeble – Solicitor all of whom have many years experience in these areas.

Wills

Our fees for advising on and a preparing Wills as below are based on a straightforward estate and that no complex provisions will need to be inserted into the Will. Our fee includes a meeting to take details of your family, your assets and your instructions in respect of your Will or Wills.

Single Will

Our fees for advising on preparing a straightforward single Will, will be £180.00 plus VAT which equals £216.00.

Wills for husband and wives, civil partners and other couples where the terms of the Wills are essentially the same (mirror Wills)

For two straightforward Wills, our fee will be £280.00 plus VAT which equals £336.00.

Lasting Powers of Attorney

There are two types of Lasting Power of Attorney (LPA) one which deals with decisions relating to Property and Finance and the other deals with decisions relating to Health and Welfare.

One LPA

Our fees for a single Lasting Power of Attorney for one person are £450.00 plus VAT. The Office of the Public Guardian (OPG) registration fee is £82.00 making a total of £622.00.

Two LPA's

If a person wishes to make both Lasting Power of Attorney's i.e. Property and Affairs and Health and Welfare our fees are £700.00 plus VAT. The OPG registration fees will be £164.00 making a total of £1,004.00.

If a couple both only wish to make one type of Lasting Power of Attorney each our fees are £700.00 plus VAT. The OPG registration fees will be £164.00 making a total of £1,004.00.

Four LPA's

If a couple both want to make both types of Lasting Power of Attorneys (making 4 Lasting Power of Attorneys) our fees are £1,200.00 plus VAT. The OPG registration fees will be £328.00 making a total of £1,768.00

Home Visits

Our offices do not have a lift and we are on the first floor, therefore if you are disabled and live within the SS6 postcode district then we will visit you at home for no additional charge.

If you live outside the SS6 postcode district or you wish to choose to have a home or hospital visit for any other reason, then our additional fee will be £150.00 plus VAT which equals £180.00 per visit. This fee covers home visits or Hospital visits in the Rochford, Castle Point or Southend on Sea Borough Council areas. If you require a visit outside of these areas, then please contact us for an estimate.