LACEYS SOLICITORS

Fees
for probate

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1. Fixed Fee – Obtaining a Grant only

Whilst it is possible to apply for a Grant of Probate personally, many clients prefer to employ us to guide them through the process. It may be that you are happy to collect in all of the information required and to deal with the assets after Probate is obtained but require assistance with the forms themselves.

TOTAL:

Fixed fee **of £1,900 plus £380 VAT totalling £2,280** for an estate with no Inheritance Tax (IHT) payable and no IHT return.

Fee range **of £2,750-£3,500 plus £550-£700 VAT totalling £3,300-£4,200** for longer form of inland revenue account and no IHT payable.

Fees from **£3,500 plus £700 VAT totalling £4,200** for longer form inland revenue account and a taxable estate.

This includes obtaining the Grant on your behalf.

This **does not include disbursements** which are as follows and will be in **addition to the fee** quoted above.

Where costs or disbursements are subject to VAT the rate chargeable will be 20%.

Disbursement:	Cost
Probate Court Fee	£526 plus £2 per office copy required – Fixed Fee, no VAT
Bankruptcy Searches	£6 plus £1.20 VAT = £7.20 per name searched
Land Registry Search Fee	£7 plus £1.40 VAT = £8.40
Statutory Advertisement in London Gazette (protects executor against unexpected claims from unknown creditors)	£92 plus £18.40 VAT = £110.40
Statutory Advertisement in local paper	Prices vary according to area and will be subject to VAT
Assets search - helps check for unknown assets	£165 plus £33 VAT = £198

The above disbursements are costs related to your matter that are payable to third parties. We will request these funds from you separately.

As part of our fixed fee we will:

- ✓ Provide you with a skilled and experienced probate fee earner to work on your matter.
- ✓ Check the Will to ensure that on the face of it, it is validly executed.
- ✓ Advise you on who the executors or administrators are and how the Estate is to be distributed.
- ✓ Explain the appropriate type of probate application required (this will depend on whether there is a Will and whether it validly appoints executors).
- ✓ Explain the information required to obtain the Grant.
- ✓ Obtain an IHT reference from HMRC if required.
- ✓ Complete the appropriate Inland Revenue account and supplementary pages if required and calculate the amount of IHT payable (and whether any of it can be paid by instalments) and apply any available exemptions.
- ✓ Draft the legal statement.
- ✓ Advise you in relation to the payment of IHT.
- ✓ Submit the Inland Revenue account to HMRC if appropriate and make the application to the Probate Court on your behalf.
- ✓ Obtain the Grant and provide you with the required number of office copies.
- ✓ Carry out bankruptcy searches against beneficiaries (executors are personally liable if they pay a legacy or distribute a share of the Estate to anyone who is bankrupt) if required.
- ✓ Place statutory advertisements for unknown creditors if required.
- ✓ Carry out an assets search to check for unknown assets if required.

Currently Probate is obtained within 16-22 weeks of sending in the Inland Revenue account if the Estate is liable to IHT (or it's not liable but the long form of Inland Revenue account is still required) and we would expect a shorter timescale if the short form of Inland Revenue account is required.
Some more complex applications can take 27-29 weeks.

Timescales:

- ✓ Reporting to HMRC to receipt of IHT code – up to 8 weeks.
- ✓ Digital Grant application to receipt – up to 12 weeks.
- ✓ Paper Grant application to receipt – up to 6 months. .

The fixed fee does not cover:

- Registering the death with asset holders such as banks, building societies, life insurance companies, registrars etc. and obtaining date of death valuations.
- Checking the number of shares for a shareholding.
- Checking whether any assets are written in trust.
- Cross referencing any information regarding lifetime gifts.
- Corresponding with any third parties. Any correspondence received will be sent directly to you to deal with.
- Corresponding with pension companies.
- Obtaining tax deduction certificates from banks and building societies, duplicate dividend information in relation to shares, P60s for pensions, all to enable completion of any required tax return to the date of death.
- Completion of any income tax returns whether for the tax year prior to date of death or to the date of death.
- Notifying any of the beneficiaries of their entitlements and obtaining ID and bank details.
- Obtaining funds to pay any IHT due.
- Registering the Grant with the asset holders and encashing or transferring the assets. The executors are advised to open an executors account into which any funds can be paid and bills settled.
- Settling any liabilities such as the funeral account, credit card accounts, utility bills etc.
- Paying any legacies due under the Will and making distributions to residuary beneficiaries.
- Corresponding with HMRC regarding any queries raised if the Estate is liable to IHT.
- Submitting a corrective account to HMRC if the Estate is liable to IHT and details in relation to the Estate change after the original account has been submitted (a separate quote can be provided for this).
- Submitting any claims for loss relief in relation to a sale of shares within 12 months of death or sale of land within 4 years of death (a separate quote can be provided for this).
- Obtaining clearance from HMRC if the Estate is liable to IHT so that the Estate can be finalised.
- Advising on any claims made against the Estate.
- Dealing with the conveyancing on the sale of any property relating to the Estate (a separate quote can be provided by our Property Department).
- Advising on and/or preparing a Deed of Variation to the Will (it is possible in most cases to vary a Will within 2 years of death).
- Registering the estate on the TRS (Trust Registration Service) if required.

2. Applying for a Grant, collecting in and distributing the assets

We anticipate that this will take between 15 and 30 hours. It will depend on the level of fee earner dealing with the matter as to the hourly rate and more complex Estates will be dealt with by a more senior fee earner. The hourly rate for a fee earner with 4 years post qualification experience (PQE) is £300 plus £60 VAT = £360 and for a Partner/fee earner with 8 years PQE is £400 plus £80 VAT = £480

Total costs estimated at £5,250 - £10,500 plus £1050 – £2,100 VAT totalling £6,300 – 12,600

(based on a mid hourly rate of £350 plus £70 VAT = £420)

The exact cost will depend on the individual circumstances of the matter. For example, the costs would normally be at the lower end of the range if there are very few assets and no property. If there are multiple beneficiaries, a property and multiple assets, the costs will be at the higher end of the scale.

If the estate is particularly complex costs will increase and we would quote as appropriate.

We will handle the whole process for you from start to finish.

This is only an illustration of a straightforward estate. Each individual estate will be quoted separately.

3. Example Estate quote

This quote is for Estates where:

- ✓ There is a valid Will (i.e. not an intestacy where beneficial interests have to be ascertained).
- ✓ There is no more than one property.
- ✓ There are between 1-4 residuary beneficiaries and a few legacies.
- ✓ There are no disputes between the beneficiaries over the division of assets. If a dispute does arise the costs will increase.
- ✓ There is no IHT payable and the executors do not need to submit a full account to HMRC.
- ✓ There are no claims made against the Estate.
- ✓ There are no assets held outside the UK.

Detail	Cost
Probate Court Fee	£300 plus £16 per office copy required – Fixed Fee, no VAT
Bankruptcy Searches	£6 plus £1.20 VAT = £7.20 per name searched
Statutory Advertisement in London Gazette (protects executor against unexpected claims from unknown creditors)	£92 plus £18.40 VAT = £110.40
Statutory Advertisement in local paper	Prices vary according to area and will be subject to VAT
Assets search - helps check for unknown assets	£165 plus £33 VAT = £198
DISBURSEMENTS NOT INCLUDED IN THIS FEE	

As part of the fee quoted we will:

- ✓ Provide you with an experienced fee earner to deal with your matter.
- ✓ Register the death with asset holders such as banks, building societies, life insurance companies, registrars etc. and obtain date of death valuations.
- ✓ Check the number of shares for any shareholding.
- ✓ Check whether any assets are written in trust.
- ✓ Cross reference any information regarding lifetime gifts.
- ✓ Correspond with pension companies.
- ✓ Obtain tax deduction certificates from banks and building societies, duplicate dividend information in relation to shares, P60s for pensions, all to enable completion of any required tax return to the date of death.
- ✓ Complete income tax return to date of death (if returns for earlier years are required there will be additional costs for this).
- ✓ Notify any of the beneficiaries of their entitlements and obtain ID and bank details.
- ✓ Register the Grant with the asset holders and encash or transfer the assets.
- ✓ Settle any liabilities such as the funeral account, credit card accounts, utility bills etc.
- ✓ Pay any legacies due under the Will and make distributions to residuary beneficiaries.
- ✓ Prepare Estate Accounts providing you with a summary of the administration of the Estate.

Potential additional costs:

- If there is no Will or the Estate consists of numerous assets there are likely to be additional costs that could range quite significantly depending on the Estate. We can provide a more accurate quote once all of the information is available.
- Dealing with the sale of any property is not included within the quote and a separate quote can be provided by our Property Department.

How long will this take?

Typically, assuming everything runs smoothly, estates that fall within this range are dealt with within 9-12 months, although the sale of a property can often delay finalisation of the administration.

If the Estate is subject to IHT this increases the costs and the timescale as correspondence will be required with HMRC.

4. Additional work required where an Estate is subject to IHT

- Obtaining an IHT reference.
- Completion of the longer form Inland Revenue account and supplementary pages.
- Consideration of whether any lifetime gifts fall within available exemptions.
- Advising on the incidence and liability for IHT.
- Advising on whether any IHT can be paid by instalments.
- Consideration of whether any exemptions apply such as Business Property Relief.
- Advising on the funding of IHT.
- Submitting any claim for loss relief (sale of shares within 12 months of death, sale of land within 4 years of death).
- Submitting any corrective account due to amendments to the assets or liabilities.
- Corresponding with HMRC in relation to any queries raised.
- Corresponding with the District Valuer and negotiating any revised date of death value for property or land within the Estate.
- Obtaining a clearance certificate from HMRC.
- Registering on the TRS if required.

The timescale can extend well beyond 12 months from the date of death and the number of hours can increase significantly.

The initial range of costs will increase and we will be able to advise you at an early stage once all of the information is available.