

## **PROBATE AND ESTATE ADMINISTRATION COSTS AND EXPENSES**

### **Grant of Probate**

Probate is the term given to the legal right granted to a person (or more than one person) to deal with someone else's property, money and possessions after they die. This is also sometimes referred to as dealing with someone's estate.

The persons dealing with this will be the executors named in the Will (if there is one) or those entitled to become administrators in the estate (if there is no Will). The collective term for both executors and administrators is 'personal representatives'.

It can be a particularly difficult time following someone's death. However our legal experts are on hand to represent you in obtaining the grant of probate. Our experts can also collect and distribute assets that form part of someone's estate on your behalf.

In the paragraphs below when we refer to an estate being 'taxable' this refers to the estate having to submit an Inheritance Tax Account to HM Revenue & Customs.

In some circumstances a close estimate is not always possible to provide, and particularly where there are complex stages or considerations. This might include where an original copy of a will has been lost. In those circumstances we will be happy to talk to you about the specific work we will need to undertake if we represent you, and the charges for that work.

We can advise you if an estate will be subject to tax. There is also information on the [UK Government guide to inheritance tax](#).

### **What does it cost for you to help me obtain a Grant of Probate?**

We can represent you in obtaining a Grant of Probate. Our charges for doing so will be dependent on specific circumstances but we have set out some costings below.

#### **Probate Grant for a simple estate that is not taxable**

We would anticipate that this would take between 2 and 4 hours of work at £300.00 per hour (plus VAT at 20%). Our charges would therefore lie between £600.00 and £1,200.00 (plus VAT at 20%).

We would expect that an estate falling into this category would take around 2 to 4 months in order to obtain the Grant of Probate.

#### **Probate Grant for a complex estate that is not taxable**

We would see a complex estate as one that incorporates a number of properties and/or investment assets each requiring valuation. Also where there may be a number of allowable reliefs to be assessed and claimed so as to permit the estate to be classed as an 'excepted estate' upon which no tax is payable.

Alternatively, an estate where there is no Will so that the application is being made by a person or persons entitled to apply as administrators.

We would anticipate that this would take between 4 and 8 hours of work at £300.00 per hour (plus VAT at 20%). Our charges would therefore lie between £1,200.00 and £2,400.00 (plus VAT at 20%).

We would expect that an estate falling into this category would take around 2 to 5 months in order to obtain the Grant of Probate.

## Probate Grant for an estate that is taxable

A taxable estate will require considerable additional time and effort as this will additionally involve the completion of the detailed HMRC Inheritance Tax Account prior to being able to make the application for the Grant of Probate.

We would anticipate that this would take between 8 and 15 hours of work at £300.00 per hour (plus VAT at 20%). Our charges would therefore lie between £2,400.00 and £4,500.00 (plus VAT at 20%).

We would expect that an estate falling into this category would take around 4 to 6 months in order to obtain the Grant of Probate.

## Expenses to obtain the Grant of Probate

In order to obtain the Grant you must pay a fee to the Probate Registry. We will also have our initial client due diligence fees. We set these out as follows:

Grant of Probate Fee:	£300.00 (if the estate is valued at less than £5,000 the fee is Nil)
Additional Copies:	£1.50 each
Electronic ID Fee:	£14.40 per person
Bankruptcy Search Fee:	£6.00 (relevant to the deceased)

## Grant of Probate and Administration of the Estate

As a general guide our fees for obtaining the Grant of Probate and then administering an estate are likely to fall within the following ranges:

### ***A Simple case £3,000 - £6,000 + VAT at 20%***

#### Assumptions for this category:

An Inheritance Tax Account is not required – usually where the estate is what is known as an ‘excepted estate’. This is where the value of the estate is less than £325,000 or less than £1,000,000 and all of the estate passes to a surviving spouse – and there are no or minimal Complicating Factors – see ‘Complicating Factors’ below.

On average, estates that fall within this range are dealt with within 4 to 6 months. Typically, obtaining the grant of probate takes 12 weeks. Collecting assets then follows, which can take between 3 and 6 weeks. If property has to be sold then this will extend the time of course. Once this has been done, we can distribute the assets, which normally takes 2 to 4 weeks.

### ***B Medium complexity case £7,500 - £15,000 + VAT at 20%***

#### Assumptions for this category:

An Inheritance Tax Account is required and/or there are several Complicating Factors but there are no foreign assets and no claim for e.g. Business Property Relief or Agricultural Property Relief – see ‘Complicating Factors’ below.

On average, estates that fall within this range are dealt with within 8 to 12 months. Typically, obtaining the grant of probate takes around 20 weeks. Collecting assets then follows, which can take between 4 and 8 weeks (longer where there is property to be sold). Once this has been done, we can distribute the assets, which normally takes 2 to 4 weeks.

***C Higher complexity case £20,000 - £45,000 + VAT at 20%***

An Inheritance Tax Account is required and/or there are many Complicating Factors and/or there are foreign assets and/or a claims for e.g. Business Property Relief or Agricultural Property Relief are required – see ‘Complicating Factors’ below.

On average, estates that fall within this range are dealt with within 12 to 24 months. Typically, obtaining the grant of probate takes around 26 weeks. Collecting assets then follows, which can take between 4 and 16 weeks (especially where there is property to be sold). Once this has been done, we can distribute the assets, which normally takes 4 to 8 weeks.

Please note, the above fees are only guidance and precise fees may vary from case to case (please see ‘Complicating Factors’ below). A bespoke cost estimate will be given to you at the outset of your case and will be reviewed regularly throughout your case.

## **Complicating Factors**

Every estate is different and costs will vary depending upon the complexity of the individual case. Complicating factors which might increase costs include:

- The provision of a large amount of initial financial paperwork for us to analyse so as to identify assets and liabilities
- Significant gifts having been made in the 7 years before death
- The existence of any trusts which may impact on the value of the estate for tax purposes
- Where there is more than one property to be dealt with
- Where there are more than 4 bank or building society accounts
- Where there are Foreign Assets
- Where there estate includes one or more interests in a business
- Where the estate includes agricultural land and property
- Where the number of beneficiaries exceeds 10 in number or includes a mix of charity and non-charity beneficiaries
- Where there is no Will and the deceased had a large family or no immediate family (and so triggering a need to establish heirs)
- Where the estate is such that complex issues arise including, but not limited to, applying for inheritance tax exemptions and reliefs (e.g. Business Property Relief, Agricultural Property Relief, Residence Nil Rate Band)
- Where there disputes between beneficiaries or family regarding the Will, claims for Financial Provision or regarding the administration of the estate generally.

## Sales of Property

The above fees do not include our charges for the conveyancing work involved in the sale of any properties out of the estate. This work is dealt with by our specialist Residential Team who will provide a detailed costs and expenses estimate at the appropriate point..

## Expected Expenses in Obtaining the Grant and Administering the Estate

In addition to our charges noted above (and VAT at 20%) we would anticipate the following expenses ('disbursements') to apply. We will usually ask you to pay these to us before we incur the expense with the relevant 3<sup>rd</sup> party.

Grant of Probate Fee:	£300.00
Additional Copies:	£1.50 each
Electronic ID Fee:	£14.40 per person
Bankruptcy Search Fee:	£6.00 (relevant to the deceased)
Bankruptcy Search Fee:	£6.00 (for each beneficiary)
Overseas Bankruptcy Fee:	£102.00 (for overseas beneficiary – cost varies according to country in question)
London Gazette Entry:	£124.80 (Protects executors against unexpected claims from unknown creditors)
Local Newspaper Entry:	£300.00 (Protects executors against unexpected claims from unknown creditors)
Asset Search Fee:	£198.00 (Helps to identify assets where there is doubt)
Bank Transfer Fee:	£14.40 per bank transfer

## Our Probate Team

Our team has over 50 years of collective experience in delivering high quality work in all matters relating to Wills and Estate Administration. They have long experience in dealing with high value estates and inheritance tax matters.

We have two solicitors, an apprentice solicitor and a paralegal who may work on your matter. Regardless of who works on your matter, they will be supervised by either Mark Butson or Frances Cowan – both Partners in the firm with a huge amount of experience in this area of work.

## Mark Butson - Partner

Mark has more than 30 years' experience in conveyancing work and has been able to successfully assist in many estates over that time.

Mark qualified as a solicitor in 1985 having completed his training contract with the firm. He maintains knowledge of current developments in Wills and Probate through ongoing relevant professional development courses.

**Frances Cowan – Partner**

Frances is also highly experienced in conveyancing and has some 25 years practical experience.

Frances qualified as a solicitor in 2002 having completed her training contract with the firm. Since qualifying Frances has been involved in many estates and has a good knowledge of the many factors relating to successfully administering an estate..

**Isobel Miller – Apprentice Solicitor**

Isobel is currently enrolled as an apprentice solicitor starting work with the firm in this capacity in 2024. As a part of her training Isobel works in several departments within the firm but has gained considerable experience in the drafting of Wills and in the administration of estates.

**Susan Dunbar - Paralegal**

Susan has many years practical experience in dealing with the day to day work involved in extracting a Grant of Probate and correctly administering an estate. She has over 30 years' experience in the field. She also benefits from extensive training provided both externally and within the firm and works under the direct supervision of either Mark or Frances.