

# Estate Administration & Probate

## Service and pricing

### The Glaisyers Service

At Glaisyers Solicitors we understand that dealing with financial matters after a bereavement is a daunting prospect.

One of our experienced Probate solicitors will guide you through the process of dealing with your loved one's assets from beginning to end.

Whether the estate is straightforward or complicated, or if issues arise during its administration; we will provide clear, practical advice and explain the steps giving you peace of mind that your best interests are well cared for.

### Guide to Probate Pricing

Every individual's estate is unique. We all have different combinations of assets and different requirements for the people who will inherit when we die. The difference between everyone's estate makes it difficult to give a 'standard' price for the cost of administering the estate of a person who has died.

This guide sets out details of the way we provide our probate service and how we calculate our costs. This also includes examples of common types of probate cases with indications of the costs.

We would be pleased to discuss your requirements with you and provide a quote tailored to your needs.

### Who will be working for you

Full details of our Estate Administration & Probate team are available on our website.

The team is led by Chris Burrows, a solicitor who has been working with families to administer estates for over 13 years and who is also a qualified Trust and Estate Practitioner (STEP member). Chris specialises in Trusts, Probate and Estate Administration including Inheritance Tax issues and the succession of business assets.

Other members of our team include Charlotte Hardie and Emma Green, solicitors with years of experience in dealing with estates..

### Who we can act for

We can deal with the estate whether there is a Will or not. If there is a Will it will say who inherits the assets and we can act on behalf of the people named as executors. They are responsible for dealing with the estate and may also be the people inheriting the assets.

If there is no Will (known as Intestate) the law dictates who will inherit. In most cases a spouse or immediate family will inherit, but if there are no close family members the estate may pass to more distant relatives, in accordance with the Intestacy Rules.

### How Probate Fees are paid

The costs of administering a person's estate should be paid out of that estate. Our costs are normally first invoiced once the application for a Grant of Representation (Probate - if there is a Will, or Letters of Administration- if the person is Intestate) has been submitted to the Probate Registry so the invoice can be settled once funds are received, following encashment of estate assets when the Grant is issued. We will normally raise regular interim invoices as the work continues. In some cases we may ask for a payment on account of costs or interim payments as the case progresses.

Disbursements and expenses (see below) are also payable out of the estate. However we may ask you to make payment on account of disbursements before they are incurred. Your payment will be reimbursed to you out of the estate once funds are available.



## Outline of the Work

There are three main stages to the administration of an estate.

### 1) Initial enquiries and valuation (referred to as 'Initial Enquiries')

The first stage is to work out what is in the estate and how much it is worth. This may include:

- Contacting any banks or other financial institutions holding assets for the deceased
- Confirming the ownership and value of the assets of the estate including checking the ownership of houses, land, buildings or company shares
- Identifying and valuing any liabilities or debts

### 2) Probate application (referred to as 'Probate Application')

Following the initial enquiries and valuation you will need to:

- Confirm the Will is valid or that there is no Will
- Prepare the application for a Grant of Representation (Probate or Letters of Administration)
- Prepare the Inheritance Tax Return and submit it to HMRC and pay Inheritance Tax (if required)
- Submit the application to the Probate Registry

### 3) Encashment and administration of assets (referred to as 'Estate Administration')

Once the Grant of Representation is available:

- Close bank accounts
- Claim insurance policies
- Sell or transfer shares/investments
- Sell or transfer ownership of houses, land and buildings
- Pay any debts or other liabilities
- Prepare estate accounts for the approval of the personal representatives (executors or administrators)
- Distribute the estate to the beneficiaries

The cost examples in this guide cover the work involved in all three stages, however we can assist with specific elements if required.

## Payments to other organisations

It may be necessary to instruct other organisations to obtain information about the person's assets and debts or to perform a service on behalf of the estate. These costs are referred to as 'disbursements'.

The most likely disbursements include:

	<b>Cost</b>	<b>VAT</b> (if any)	<b>Total cost</b>
<b>Court Fees</b>			
Court fee – Probate application	£155	0	£155 <sup>1</sup>
Additional copy of grant of probate (each)	£1.50	0	£1.50 <sup>1</sup>
<b>Land Registry</b>			
Copy of title information (per registered title)	£3	0	£3 <sup>1</sup>
Copy of map/plan	£3	0	£3 <sup>1</sup>
Fee on transfer of property ownership (calculated depending on property value)	£20 - £125	0	£20 - £125 <sup>2</sup>
<b>Creditors Advertisements</b>			
Creditors advert (Local newspaper)	£150	£20	£180 <sup>2</sup>
Creditors advert (London Gazette)	£84.60	0	£84.60 <sup>1</sup>
<b>Searches</b>			
Bankruptcy searches (deceased, executors, beneficiaries) – per online search	£2	0	£2 <sup>1</sup>
Financial assets search (unknown/missing assets)	£135	£27	£162 <sup>1</sup>
Certainty – 'reach' missing Will search	£238.80	£47.76	£286.56 <sup>2</sup>
<b>Valuation Fees</b>			
Estate agent valuation fee	£150	£30	£180 <sup>2</sup>
Auctioneer valuation fee	£150	£30	£180 <sup>2</sup>

<sup>1</sup> Actual <sup>2</sup> Estimate

## Cost examples

Because no two estates are the same we do not have a standard price for estate administration. Our charges are based on the complexity of the estate.

### Non-taxable, straightforward estate

Estate containing a property and around 3 other assets and some routine debts. There is a valid will leaving the estate to surviving spouse or to other individuals (e.g. adult children). Identification and valuation of assets, probate application, encashment and distribution of estate.

Estimated average			VAT rate
£3,500 + VAT			20%
Lowest predictable	Highest predictable		
£3,000 + VAT	£4,000 + VAT		



## Taxable or more complex estate

Estate with a valid will and higher value or more complex assets such as several properties, a larger number of bank accounts, investment portfolios with different fund managers or an interest in a business. A detailed inheritance tax return is required and consideration of tax allowances. Distribution to multiple beneficiaries or the estate to be held on trust.

Estimated average		
£9,500 + VAT		
Lowest predictable	Highest predictable	VAT rate
£7,500 + VAT	£12,000 + VAT	20%

## Complicating issues

In any estate, whether or not inheritance tax is payable, issues can arise which complicate the administration and increase the overall cost. Complicating issues could include:

- Portfolios of multiple properties or a number of separate investment funds.
- Unusual assets requiring specialist valuation and sale or transfer arrangements.
- Money, houses or investments in other countries.
- Dealing with a business or private company, including continuing to operate it or dealing with the transfer or sale of shares.
- Confirming the ownership of property or other assets where title documents or proof of ownership are missing.
- Visiting a property to collect papers & valuables, to investigate its security, supervise its clearance or to attend with other professionals such as estate agents or surveyors.
- Complex inheritance tax reporting such as transfer of nil rate band from pre-deceased spouse or considering the availability of Business and/or Agricultural property relief.
- Identifying and quantifying lifetime gifts or assets where the deceased had made a gift and reserved a benefit for themselves.
- Dealing with HMRC enquiries, additional valuations or compliance checks
- Dealing with trustees where the deceased was a beneficiary of a trust.
- Reporting to and distributing to a high number of beneficiaries (e.g. more than 5 residuary beneficiaries)
- Identifying beneficiaries entitled on total or partial intestacy and tracing 'missing' beneficiaries.
- Transferring assets to beneficiaries personally rather than selling or encashing.
- Variation or disclaimer of the terms of distribution of the estate
- Any litigation or dealing with claims actually made or threatened including but not limited to;
  - Validity of the will including any caveat or probate claims.
  - Provision for family or financial dependants
  - Disputes between executors or administrators
  - Disputes between beneficiaries about the distribution of assets.
- Additional personal responsibility or liability if a Glaisyers partner or trust corporation is appointed as executor.
- Renunciation of the appointment of executors or the appointment of third parties to act on an executor's behalf.

## Probate Application only

We offer a limited service for the Probate Application process. We will prepare the Inheritance Tax Return and Probate Application based on the information you provide to us. Under this service we will not investigate or value assets, or administer them once probate has been granted. This is charged on an hourly rate basis but we estimate:

**£950 + Vat** - Tax exempt estate – simplified Inheritance Tax Return and Probate Application (not including Probate fee, disbursements or searches)

**£1200 + Vat** - Taxable estate – full Inheritance Tax Return and Probate Application (not including Probate fee, disbursements or searches)

Please note that Court fees will be payable on the fixed fee service and other disbursements may be payable if you commission searches or services via us.

## General Probate Advice

If there is a specific issue where you require assistance but if you do not wish to instruct us to deal with the whole estate, we can deal with stand-alone issues. This will be charged on an hourly rate basis (£250+Vat) and the cost will depend on the time required and the complexity of the issue.