

Grant Only Applications

In order to keep our fees to a minimum, you can instruct us to apply for the Grant of Probate or Grant of Letters of Administration only. This is where you have ascertained the values of the deceased's assets and liabilities as at the date of death and are happy to encash/transfer those assets, discharge the liabilities and distribute the estate yourself once the Grant has been issued.

We will charge a fixed fee for this, which depends on whether the estate is taxable for Inheritance Tax ("IHT") or not and whether a claim is required for the Transferable Nil Rate Band and/or the Residence Nil Rate Band.

Our fixed fees

The fixed fees are as follows and are inclusive of VAT:

Simple, non-taxable estate where only an IHT205 is required	£1,200.00
As above but a claim for the Transferable NRB or RNRB is required	£1,500.00
Non-taxable estate for IHT but a full IHT400 is required	£2,500.00
Taxable estate for IHT where a full IHT400 account is required	£3,000.00

Disbursements

In addition to our fees, there will be other payments as follows:

Probate Registry fees £155.00 plus £1.50 per sealed copy Grant required

What do our fees include?

The fixed fees include the following:

1. Interview with you to advise on the terms of the Will and discuss the duties of an Executor.
2. Go through the assets and liabilities detailed as provided by you.
3. Once the value of the assets have been received, prepare the Inheritance Tax forms and Oath / Statement of Truth for your approval.
4. Arrange for you to sign the papers and either swear the Oath with a local solicitor or sign a Statement of Truth.
5. Submit the application to HMRC and pay any Inheritance Tax ("IHT"), if appropriate.
6. Submit the application to the Probate Registry once the documents have been signed /sworn and lodge the papers to apply for the Grant of Probate or Grant of Letters of Administration.
7. Once Probate is received, pass sealed copies to the Executors for them to collect in the assets and administer the estate.
8. Deal with any enquiries raised by HMRC, obtain formal clearance if appropriate.

Timescales

In terms of timescales for the above:

Steps 1-4: 3 to 4 weeks

Steps 5 onwards: Estimated 6 to 9 months.

The Probate Registry aims to process applications for the Grant within 10 days of receipt of the application with formal confirmation from HMRC that any IHT (if appropriate) has been paid.

These estimated timescales run from when we receive your full instructions to proceed which includes a signed copy of our client care letter, identification documentation and any monies required on account.

These timescales are our best estimates only as there are many aspects of this matter over which we have little or no control.

Assumptions

It is important for you to appreciate that the fees quoted above are based on a number of assumptions, which include:

- a) We are instructed to make the application for the Grant of Probate / Letters of Administration only.
- b) With family assistance, we are able to speedily identify all of the assets and liabilities of the estate.
- c) There are no technical or other impediments to a Grant by the Probate Registry and the Will being proved as the last Will and Testament of the deceased.
- d) There are no claims against the estate by relatives, creditors or others and no caveats are lodged at the Court.
- e) There are no material disagreements amongst the beneficiaries/Executors/Trustees.

If any of these key assumptions are incorrect or change over time, we will need to provide you with a revised scope of work, revised fixed fee and revised timescales.

Exclusions

We hope the above clearly explains what our role is should you instruct us to apply for a Grant of Probate / Letters of Administration only. To avoid any misunderstanding about we are going to do and what we are not going to, we set out below what we are **not** providing any advice on in the above fixed fee:

- (i) Property sale (if applicable)
- (ii) Collecting in the assets and payment of liabilities including estate expenses
- (iii) Distribution of the estate in accordance with the Will or Intestacy Rules
- (iv) Settlement of any income tax with HMRC
- (v) Deeds of Variation
- (vi) Business or Farming advice (if applicable)
- (vii) Whether to sell or transfer assets/investments. You will need to seek advice from an independent financial adviser in this respect.
- (viii) Anything else not specifically covered in “What do our fees include?”.

If you do require advice on any of the above or any other requirements, we will provide you with a separate quotation and scope of work for these. If necessary, we will, in consultation with you, obtain any additional advice that is required by suitably qualified third parties.

Payment terms

We will issue our invoice upon submission of the papers to HMRC where a full inheritance tax account IHT400 is required or upon submission of the papers to the Probate Registry where only a form IHT205 is required.

Payment is due on delivery of our invoice.

Full Administration of the Estate

You may want us to carry out the full administration of the deceased's estate, the details of the work involved are set out below:

1. Interview with you to advise on the terms of the Will and discuss the duties of an Executor.
2. Undertake a Wills search with Certainty to check for any later Wills on the National Will Register and with local solicitors.
3. Prepare and Submit Statutory Notices to Claimants in the London Gazette and local press.
4. Undertake a Landmark Quantas Financial Asset Search for any unknown assets in the deceased name.
5. Write to the legatees and residuary beneficiaries to advise them of their entitlement.
6. Obtain valuations of the estate assets and liabilities. Write to the banks/building societies/asset providers to obtain this information.
7. Consider and calculate any transferrable nil rate band and/or residential nil rate band available.
8. Once the value of the assets has been received, prepare the Inheritance Tax forms and Oath/Statement of Truth.
9. Provide a Statement of Affairs for the Executors to consider.
10. Arrange for you to sign the papers and swear the oath with a local solicitor or sign a Statement of Truth.
11. Send a Beneficiary Statement of Affairs for the Executors to consider.
12. Submit application to HMRC, pay any Inheritance Tax ("IHT") if appropriate.
13. Submit application to the Probate Court once the documents have been sworn and lodge the papers to obtain the Grant Probate.
14. Once Probate is received, collect in the assets and pay outstanding liabilities reimburse any expenses incurred by the Executors.
15. Correspond with Executor/beneficiaries regarding the sale of the property.
16. Deal with any claim from the DWP.
17. Submit bankruptcy checks.
18. Pay the legacies.
19. Deal with any enquiries raised by HMRC, obtain formal clearance if appropriate.
20. Correspond with Executors/beneficiaries regarding the distribution of the estate.
21. Prepare Estate Accounts for approval by the Executors.
22. Pay out balance to residuary beneficiaries.
23. Prepare tax deduction certificates.

Where Davidson Mahon are appointed as Executors the following work will be undertaken in addition to the above:

1. Register the death.
2. Visit the property to collect papers and sort through the papers to ascertain the assets and liabilities.
3. Organise the house clearance and put in place unoccupied house insurance.
4. Organise postal redirection.
5. Arrange for property to be valued by a local estate agent to advise as to the condition and marketing for sale once vacant possession is held.
6. Check and confirm car insurance and arrange for any vehicles to be sold.

Timescales

Steps 1-8: 8-12 weeks

Step 9 onwards: estimated completion 10-18 months

The Probate Registry aims to process applications for the Grant within 10 days of receipt of the application with formal confirmation from HMRC that any IHT (if appropriate) has been paid.

These estimated timescales run from when we receive your full instructions to proceed which includes a signed copy of our client care letter, identification documentation and any monies required on account.

These timescales are our best estimates only as there are many aspects of this matter over which we have little or no control.

Fees

You have two pricing options available where you would like us to deal with the administration of the estate of the deceased:

(1) Billing in accordance with the time spent

If you would like to be charged by reference to the time spent, whilst the fee will vary according to the time spent and actions carried out, you will benefit if the time spent is lower because you have carried out some of the tasks yourself or the matter is less involved than initially thought.

We will not increase our fee beyond the billable time spent on the matter however, you must appreciate the fee risk remains with you. Therefore, our fees will increase if the matter becomes more complicated because, for example, the number and complexity of the assets, any queries or correspondence with beneficiaries, negotiations and queries from HMRC (where the estate is taxable for IHT) or dealing with any issues that may arise.

Fees are charged on an hourly rate and are billed in 6 minute units i.e. a short telephone call, short email or short letter out/in will be charged at 6 minutes i.e. 1/10 of the hourly rate. Our hourly rates as at 1 January 2020 are:

Caroline Bates	£250 inclusive of VAT
Sharon Eyre	£250 inclusive of VAT
Kate Mahon	£220 inclusive of VAT
Sophie Wales	£220 inclusive of VAT
Anji Arkell	£220 inclusive of VAT

An indication of the fees involved when charging on a time spent basis are set out below. Please bear in mind, these are only an indication of our fees and, should you require a more detailed bespoke quote based on a time spent basis, please do not hesitate to get in touch with us:

(a) For a relatively simple estate where:

- there is no IHT to pay and a full IHT400 is not required
- there are no disputes between beneficiaries

- there are no claims against the estate
- there is only one property which is based in England and Wales
- there are no more than 3 bank/building society accounts
- there are no more than 3 beneficiaries

The time spent will be between 15 hours and 30 hours which equates to between £3,150 and £7,020 inclusive of VAT depending on who is carrying out the work.

(b) For an estate that is more complex where:

- there is IHT to pay and a full IHT account is required
- there are no disputes between beneficiaries
- there are no claims against the estate
- there are up to 3 properties all based in England and Wales
- there are up to 10 bank/building society accounts
- there are up to 10 shareholdings
- there are up to 5 investments held in England and Wales
- there are up to 10 beneficiaries

The time spent will be between 40 hours and 80 hours which equates to between £8,400 and £18,720 inclusive of VAT depending on who is carrying out the work.

Where Davidson Mahon are appointed as Executors and/or Trustees, there is usually an additional 5-10 hours on top of those quoted above.

(2) Fixed fee pricing

If you would like to be charged on a fixed fee basis, the fee risk is with us. Therefore, if the time spent on the matter exceeds the fixed fee, that risk remains with ourselves and the price risk will be reflected in the fixed fee quote.

An indication of our fixed fees are given below and are based on a percentage of the **gross value of the estate**. We will provide you with a bespoke fixed fee proposal and scope document upon request.

If a fixed fee is agreed, if there is any departure from the scope and instructions agreed, the fixed fee will either have to be re-negotiated or charged for separately.

Fixed Fee - % of gross estate value	lower	upper	
Up to £100,000.00 2.75%	£1,750.00	£3,300.00	inc VAT
Between £100,001.00 and £250,000.00 2.5%	£3,000.00	£7,500.00	inc VAT
Between £250,001.00 and £500,000.00 2%	£6,000.00	£12,000.00	inc VAT
Between £500,001.00 and £1,000,000.00 1.5%	£9,000.00	£18,000.00	inc VAT

Over £1,000,000.00 will be charged at an hourly rate

Please note, our minimum charge is £1,750.00 inclusive of VAT.

Where Davidson Mahon Solicitors are appointed as Executors, an additional maximum 0.25% of the gross value of the estate will be charged in addition to the above.

In addition to the fees detailed above, there are also disbursements (payments we make on your behalf) and these are typically as follows:

Probate Registry fees	£155.00 plus £1.50 per sealed copy Grant required
Death Certificates	£11.00 per copy
Certainty Will Search	£238.80
Landmark Asset Search	£162.00
Statutory Notices (approx.)	£180.00
Miscellaneous disbursements	£100.00 (approx.)

Assumptions

It is important for you to appreciate that the fees quoted above are based on a number of assumptions, which include:

- a) With family assistance, we are able to speedily identify all of the assets and liabilities of the estate.
- b) There are no technical or other impediments to a Grant by the Probate Registry and the Will being proved as the last Will and Testament of the deceased.
- c) All assets are based in England and Wales
- d) There are no claims against the estate by relatives, creditors or others and no caveats are lodged at the Court.
- e) All beneficiaries reside in the UK and can be identified, traced and are at least 18 years of age and able to understand and sign documentation as required.
- f) There are no material disagreements amongst the beneficiaries/Executors/Trustees.

If any of these key assumptions are incorrect or change over time, we will need to provide you with a revised scope of work, revised fixed fee and revised timescales.

Exclusions

We hope the above clearly explains what our role is should you instruct us to administer the estate. To avoid any misunderstanding about we are going to do and what we are not going to, we set out below what we are **not** providing any advice on in the above fixed fee:

- (a) Property sale (conveyancing charges)
- (b) Tax returns
- (c) Deeds of Variation
- (d) Business or Farming advice (if applicable)
- (e) Whether to sell or transfer assets/investments. You will need to seek advice from an independent financial adviser in this respect.
- (f) Anything else not specifically covered in the work involved above.

If you do require advice on any of the above or any other requirements, we will provide you with a separate quotation and scope of work for these. If necessary, we will, in consultation with you, obtain any additional advice that is required by suitably qualified third parties.

Payment terms

We will issue an interim invoice for 75% of our fee upon submission of the papers to HMRC where a full inheritance tax account IHT400 is required or upon submission of the papers to the Probate Registry where only a form IHT205 is required and the remaining 25% will be invoiced upon finalisation of the estate.

Payment is due on delivery of our invoice.