



## Probate and Estate Administration Fees

... finding solutions. Expert, affordable legal advice when you need it the most

# Committed to effective legal solutions for you

*“Success comes from hard work and having a team of people who are on hand to give you the support you need. We work in partnership with our clients and take a proactive approach to managing our relationship. We strive to ensure that you can leave any problems behind with us and we’ll resolve them for you. We want clients to feel valued; this charter is at heart of what we do”.*

**Hutton’s Law**

## Why Use Hutton’s?

When you have suffered a bereavement, dealing with the estate of a loved one can be a distressing and daunting task. Whilst it is a mark of respect to have been appointed as an Executor of somebody’s estate, it brings with it a great deal of responsibility and a risk of personal financial liability if problems arise.

At Hutton’s we have offices conveniently located in and around Cardiff and are on hand to help you every step of the way. We can:

- provide all the expert advice, assistance and reassurance necessary to make the process as straightforward as possible;
- alleviate your burden;
- visit you at home if required.

We have many years’ experience in both wills and the administration of estates so you can have peace of mind that we will ensure that everything is dealt with smoothly, efficiently and always in a sensitive manner. You can be assured of a considered, cost effective and professional service at all times, undertaken by our approachable team who genuinely care about their clients.

## Hutton’s Fee Schedule – January 2025

We will always provide you with an estimate of our fees before beginning work on your behalf so you know what to expect. Where VAT is stated, it is the current statutory rate of 20%.

We generally charge on an hourly rate basis, based upon the hourly rate of the fee earner allocated to act for you (see details of our fee earners and their hourly rates below).

Our fees for dealing with a straightforward administration consisting of a property and up to four bank accounts where there is no inheritance tax to pay is likely to cost in the region of £2,500 plus VAT (assumes 10-15 hours work) together with disbursements (see below for details of disbursements).

In more complex estates with multiple assets and/or beneficiaries, or where there is inheritance tax to pay, our fees are likely to be in the region of £7,000 plus VAT and disbursements (where we anticipate 15-25 hours of time).

In cases where we are appointed by the Will to act as the executors, we will charge an additional 1% of the value of any property and 1.5% of the gross estate.

For example, in an estate where we are acting executors where there is a property valued at £500,000 together with bank accounts and investments totalling £150,000, we will charge on an hourly rate basis together with the additional percentage fee of £5,750 plus VAT. We set out as part of our client care letter what work is covered and what to do as we appreciate these estates can be complex. It is difficult to estimate the number of hours this will take as these estates can often be more problematic to administer and there are lots of factors to take into account.

#### As part of our fixed fee, we will:

- Meet with you in person, or on a video call, to advise on the terms of the deceased's will / intestacy provisions and discuss the duties of the executor(s) / administrator(s).
- Review the assets and liabilities and write the initial letters to banks, building societies, utilities (including council tax) and insurance.
- Submit statutory notices, if required (these will always be required where a professional executor is to be named on the grant of representation).
- Notify the beneficiaries of their entitlements under the will / intestacy and obtain identification.
- Prepare probate application and inheritance tax forms (if required).
- Calculate if there is inheritance tax to pay.
- Submit application to the probate registry to obtain grant of probate / letters of administration, once the probate application has been completed and inheritance tax form signed (if required).
- Once probate is received, collect in the assets and pay outstanding liabilities.
- Pay any legacies or interim distributions to the residuary beneficiaries.
- Submit bankruptcy checks.
- Prepare estate accounts for approval by the executor(s) / administrator(s).
- Pay out balance to residuary beneficiaries.

The following are not included in the fixed fee price:

- Property sale or transfer (if applicable).
- Deeds of variation for the beneficiaries.
- Appropriation of assets to beneficiaries (if applicable).
- Business or farming advice (if applicable).
- Any investigations by HMRC into the deceased's lifetime tax affairs.
- Changes to legislation during course of estate administration.
- Trusts, including in which the deceased was a beneficiary as at the date of death.

- Trusts set up by the deceased under the will.
- HMRC Trust Registration Service requirements (if applicable).
- Financial advice on the suitability of the disposal of assets in the estate.
- Personal taxation of estate beneficiaries.
- Restitution for long term care funding incorrectly paid to the deceased (if appropriate).
- Additional or certified copies of documents.
- Anything else not specifically identified in the scope of the fixed fee as set out above.

We (including colleagues in other departments) can assist with any of these aspects, if required.

### **Timescales**

It is difficult to give a timescale for the completion of the administration of the estate, as this depends on the timescales for responses from third parties such as the probate registry, HM Revenue and Customs, and other third parties.

If there is a property in the estate that is to be sold, this can also influence the timescales. It is not uncommon for an estate to take 10-24 months to reach a conclusion, although this can vary greatly depending on many factors.

## **Disbursements and Taxes**

Disbursements are costs related to the administration that are payable to third parties, such as court fees. We handle the payment of the disbursements on your behalf and will usually require a payment on account to cover these. Disbursements that apply in the administration of an estate are as follows (exclusive of VAT unless otherwise stated):

- Probate application fee £300 no VAT plus £1.50 (no VAT) for each additional official copy;
- Declaration/Oath fees required in connection with the application for the grant of representation: £5 (no VAT) plus £2 (No VAT) for each document referred to in the declaration/affidavit;
- Bankruptcy searches for each beneficiary: £5 (no VAT) per full name;
- Statutory advertisements – approximately £200 to £300 plus VAT. These protect against unexpected claims from unknown creditors

### **Inheritance Tax**

Inheritance Tax is payable at 40% on the value of a person's taxable estate after allowances and exemptions have been applied. We can also advise you about the most tax efficient way to deal with the administration to minimise exposure to capital gains tax for example.

## Who will be dealing with my case?

Lawyer	Qualification	Experience	Work undertaken	Hourly Rate (+ VAT)
<b>Tristan Agland</b>	Solicitor and Team Supervisor	Tristan is the head of our Civil team and oversees the Probate and Private Client Team with many years' experience of dealing with all types of estates, including contentious ones.	Administration of complex estates and advice regarding mitigation of tax and estate planning. Contentious estates where allegations of undue influence and asset misappropriation have taken place.	£250
<b>Huw John</b>	Senior Associate and Supervisor	Huw qualified in 1992 has a wealth of experience in wills and probate work. He has a loyal client base is a "go to" person for anything wills and probate related	Administration of estates ranging from straight forward matters through to complex and taxable estates.	£200
<b>Tamsyn Jewell</b>	Associate CILEX	Tamsyn is a new appointment and key member of the team. She is used to dealing with complex and high value estates, often involving international assets.	Administration of estates ranging from straight forward matters through to complex and taxable estates.	£200



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