



Understanding probate fees, inheritance tax and additional costs

In addition to the cost of our legal advice and support for administering the estate, there will be a number of additional costs which have to be paid at the same time, and which your solicitor is obliged to collect.

This guide explains our fees and these additional costs and gives an approximate indication of costs – or details of where the costs come from.

Your solicitor usually has to pay these costs on your behalf, so they will ask you for money on account in advance or for reimbursement in your final bill.

Our fees and charges

On average, the costs of dealing with a straightforward estate where there is one property and two bank accounts with a total asset value of the estate under the current inheritance tax threshold of £325,000 would be approximately £1,750 plus VAT.

However, no probate matter is exactly the same, and because of this we can only give you a reliable estimate of the cost and timescale once we have a detailed knowledge of your situation. We will discuss this in greater detail at your initial appointment and provide you with a fixed fee once we have all the relevant information.

As part of our services we will:

- provide you with a dedicated and experienced probate solicitor to work on your matter;
- identify the legally appointed executors or administrators and beneficiaries;
- accurately identify the type of probate application you will require;
- obtain the relevant documents required to make the application;
- complete the probate application and the relevant HMRC forms;
- draft a legal oath for you to swear;
- make the application to the probate court on your behalf;
- obtain the probate order and securely send two copies to you; and
- collect and distribute all assets in the estate.





There are many factors that increase the complexity of the estate and can extend the time it takes to administer it, and in turn increase the legal costs. Such factors include:

- whether there is a will and if it needs to be located;
- whether any executors have died or refused to act;
- whether the grant of probate is likely to be contested;
- estimated total value of assets;
- number and value of properties and whether they are outside England and Wales;
- the number and value of actual assets and liabilities apart from property;
- the number of beneficiaries;
- if any beneficiaries do not have capacity under the Mental Health Act, or are under 18;
- whether there are any missing beneficiaries;
- whether there are any trusts in the will;
- whether the estate is taxable;
- whether any gifts were made in the deceased's lifetime; and
- whether any forensic work is needed to create a family tree under intestacy.

Inheritance tax advice

Inheritance tax is charged by the government and payable to HMRC. You can find out whether the deceased's estate might be liable to inheritance tax and approximately how much at the HMRC website.

Working out the inheritance tax payable on the estate can be a complex matter and if we feel that specialist tax advice is required, we will advise you of this. We would provide you with a quotation before incurring any costs on your behalf.





There are various tax exemptions and allowances that can reduce the size of the estate, and a great deal depends on the terms of the will. With the right legal advice, it is sometimes possible to vary the terms of a will to reduce the amount of tax due.

Other fees

There can be many other expenses, costs and fees related to your matter that are payable to third parties as part of the probate process. We will handle the payment of these on your behalf to ensure a smoother process, but we will ask you for reimbursement in stages or at the end of the matter. We will ask you for the probate Court application fee and the oath fee in advance of the application however.

Here are some of the common fees that may be payable:

- **Certainty will search - £95 plus VAT**
If you are unsure whether the deceased made a will, we can carry out a search of the national wills database to find out if there is a will and obtain a copy.
- **Probate application court fee - £155**
This a fee paid to the probate registry office when the application is made.
- **Oath fee - £7 per executor**
This fee is paid to a solicitor or other commissioner of oaths when the executor swears the oath for executors, which confirms their right to administer the estate true.
- **Bankruptcy-only land charges department searches - £2 per person**
This checks whether the deceased or any of the beneficiaries are currently bankrupt, are an un-discharged bankrupt or are about to be made bankrupt by virtue of any pending court actions.
- **Advertisement in The London Gazette and local newspapers - £240 including VAT**
This announcement gives the opportunity to relatives, financial institutions and creditors to come forward and make a claim against the estate, to protect against unexpected claims from unknown creditors.





- **Electronic ID checking fee – £4 per person**

This online identification check has to be completed as part of our anti-money laundering obligation.

Conveyancing fees

Any property within the estate may need to be sold so that the proceeds can be divided or transferred to the named beneficiaries to make them the new legal owners.

The conveyancing costs and legal fees involved with this work will be charged separately, and be subject to our usual fee schedule, disbursements and stamp duty.

You can get an instant quotation for the legal fees involved using our online conveyancing quote tool.

