

Pricing

Belcher Frost prides itself on delivering an excellent level of service to our clients. We believe that excellent service means prompt responses to telephone calls and emails, practical advice with clear explanations, courtesy and respect and ensuring that our clients are comfortable working with us.

It is important that our clients consider they get value from us and we provide complete transparency on the cost of the work we do for them. When pricing our work we agree with the client in advance the scope of work we are going to do and how we will advise about the costs as the matter progresses.

Probate Services – Pricing Guide

Administration of Estates

When a person dies it is necessary for someone to have the authority to sort out the estate, collect the assets, pay any debts and pay the estate to the right people. Where there is a Will that authority is called a Grant of Probate which is obtained by making an application to the Probate Court. Where there is no Will the authority is called Letters of Administration.

Although there are differences in all estates the usual process can be summarised as follows:

Stage 1 – meeting you to understand how the estate is structured; what are the assets; what are the debts; and checking the funeral arrangements. At this stage we will explain the responsibilities of the executor.

Stage 2 – valuing the estate by contacting the banks, building societies and other investment holders and any creditors. We obtain valuations of any properties and shareholdings.

Stage 3 – preparing the application for the grant and the HMRC account of all the assets and liabilities. At this stage Inheritance Tax may have to be paid. We will work with you to agree how any payment is made.

Stage 4 – Grant of Probate/Letters of Administration. This is the formal authority to enable the estate to be completed and payments made.

Stage 5 – registering the Grant. The Grant must be sent to all the asset holders so that payments can be made and assets sold or transferred.

Stage 6 – paying the debts. When the funds have been collected in any outstanding debts are paid.

Stage 7 – paying legacies. Any specific gifts of money or items are made to the relevant individual or organisation. Property and share transfers are completed.

Stage 8 – finalising Inheritance Tax, if any. We will agree the final tax bill with HMRC.

Stage 9 – final accounts. A detailed set of accounts are prepared to set out the financial history of the administration of the estate. Final payments are made to residuary beneficiaries.

Timescales

Grant only applications can usually be completed within 3 months. Full administration will take longer but most straightforward estates are completed within 12 months with simpler estates being dealt with in a shorter period. Complex estates, including those that include trusts or a possible dispute, will take longer. This will be discussed when we meet with you and we are able to give our best estimate of the timescale.

Where we add value

With our significant experience of the process we are able to take away the administrative burden of finalising the estate. This makes it easier for you at a difficult and stressful time.

We will give you a clear time frame of how long probate should take and will keep you and any beneficiaries advised throughout.

You can be assured that you are our priority and that you will be able to speak to any member of the team at any time throughout the process. This provides you with confidence that at any time should you require clarity and reassurance about your matter your query will be dealt with efficiently and satisfactorily. This reflects our approach to our client care.

There are several pitfalls and possible issues as well as a number of opportunities which may arise during the course of the administration. With professional advice to assist an executor these will be spotted and considered early in the process.

Examples of these include:

- Preparation of a deed of variation to redirect the distribution of the estate in a manner that is efficient for inheritance tax purposes
- Ensuring that capital gains tax (CGT) allowances available to the executors and the beneficiaries of an estate are properly utilised to minimise CGT liability
- Protecting executors from potential claims from disappointed beneficiaries
- Making use of reliefs, allowances and exemptions to minimise the Inheritance Tax bill
- Registering the estate with HMRC for the purpose of the Estates and Trust Register to avoid penalties for non-registration

Costs Information

The fees for the administration of a deceased's estate will vary depending on the complexity and value of the estate. Consequently Belcher Frost has a range of costs for Probate work.

Grant of Probate only

Obtaining the Grant of Probate only will be charged at a fixed fee. This work will include gathering information about the assets of an estate and submitting an application only. It does not include arranging the payment of inheritance tax or collecting and distributing assets. The cost for this work ranges from £1,000 to £3,000 plus VAT and will depend on:

- The number of assets and liabilities within the estate
- The inheritance tax form that needs to be submitted – more complex estates require the completion of a longer more detailed form

Estate Administration

The fees are usually based on an hourly rate for our work plus a percentage (between 0.5% and 1%) of the gross estate plus VAT and any payments which may need to be made to a third party on your behalf. Our hourly rates range from £185 for a junior solicitor to £250 for the senior partner. For some elements of the work we are able to work on a fixed fee basis.

As a guide, based on our experience, the combined total of the above means our fees often fall between 2% and 3% of the gross estate plus VAT but can be as low as 1% for high value straightforward estates or as high as 5% for small but complex estates.

As an example to administer a simple non-taxable estate with the work undertaken by a junior solicitor the total fee should be between £2,500 and £5,000 plus VAT and disbursements. Please note that some expenses (disbursements) may be subject to VAT. Examples of disbursements include Probate Court fees; bankruptcy searches; notices in a local newspaper or the London Gazette.

Before any work is carried out we will send you a comprehensive pricing proposal providing you with the option of having the work done as above or just on an hourly rate basis or by way of a fixed fee. We are able to work on the basis of completing all the administration of the estate or taking it to the stage of obtaining the Grant so you can take on the remaining stages.

There are a number of expenses that have to be paid in addition to our charges. The major payment is the application fee for the Probate Court, currently charged at £155 and £1.50 per copy of the Probate.

There are occasions when the costs may increase. These could include:

- Where there is no Will
- The estate consists of stocks, shares and/or bonds
- Where there is a property to be sold or transferred
- Where complications arise due to the nature and/or amount of the estate assets and/or the number and/or circumstances of the beneficiaries

For an estimate specific to your matter please contact one of the private client team on 01243 377231 or [click here](#) to send us an email.

Our Probate Team:

Penny Smith - Director

Director and Senior Partner, Penny Smith, heads up the Wills and Probate Team.

Penny read law at London xxxxxxx and completed her training at a large regional south coast firm. Penny joined Belcher Frost in 2002.

Penny is a member of the Society of Trust and Estate Practitioners.

Consequently, Penny has extensive experience to advise on all private client matters, including:

- Wills. Penny is experienced in the preparation of all types of Will, including those incorporating trusts for the following purposes:
- Tax planning, including the application of both business and agricultural property relief;
- The mitigation of the potential future costs of residential nursing care;
- To address the competing interests of blended families / second marriages;
- For the protection of vulnerable beneficiaries, such as those suffering with a disability or illness, including both physical and mental health.

Penny is a member of the Probate Section of the Law Society and is a Dementia Friend.

Penny's work is supervised by another director in the Wills and Probate Team.

Marie Slavov - Director

Marie originally qualified in France as an Avocat in 2004 and has been practising in the UK since 2005, qualifying as a UK Solicitor in 2011.

Marie specialises in:

- the administration of estates, probate work and intestacies, and inheritance tax.
- the drafting of wills and lasting powers of attorney
- cross-border successions and cross-border Will planning for our UK clients with assets in more than one jurisdiction (such as making use of the EU Regulation on European Successions, and liaising with French notaires to ensure the deceased's English Will is applied correctly to their French assets).
- assisting non-UK domiciled clients and French speaking clients with their estate in the UK, including applying for a Grant of representation of the foreign Will
- the setting up and administration of trusts

Marie is a member of the Society of Trust and Estate Practitioners (STEP) and is a Dementia Friend.

Marie's work is supervised by another Director in the Wills, Trusts and Probate Team.

Lauren Kendell - Solicitor

Lauren studied Law at the University of Sussex and completed the Legal Practice course at the University of Law in Guildford. Lauren was trainee solicitor at a regional south coast law firm being joining Belcher Frost upon qualification as a solicitor in May 2019.

Lauren has developed a specialism in drafting property and affairs and health and welfare applications to the Court of Protection and assisting individuals with applying to become a Deputy or appointing a professional Deputy. Lauren has experience in managing the day to day affairs of individuals, from assisting with arranging shopping for clients through to applying for local authority and NHS funding and challenging these funding decisions, to ensure that vulnerable adults and children are receiving the correct support and funding that they need. Lauren also has experience with drafting Lasting Powers of Attorney where an individual requires a capacity assessment.

In addition to her Court of Protection practice, Lauren has experience in the preparation of Wills and Codicils and the administration of Estates.

Lauren is supervised by the senior members of the Wills, Trusts and Probate Team.

Residential Property Services – Pricing Guide

Purchase of a freehold property

Our fees cover all of the legal work required to complete the purchase of your new home, including dealing with registration at the Land Registry and dealing with the preparation and submission of your Stamp Duty Land Tax (SDLT) return if the property is in England (provided there are no complicating factors with SDLT), or Land Transaction Tax (Land Tax) return if the property you wish to buy is in Wales.

The fee that we quote to you will also include any legal work to be undertaken on behalf of your lender if you are obtaining a mortgage and we are also instructed to act for your lender.

Third party expenses

Expenses are costs related to your matter that are payable to third parties, such as Land Registry fees. We collect the payment for these expenses from you and deal with the payment on your behalf to ensure a smoother process.

The expenses that are usually payable on a purchase include:

Stamp Duty Land Tax. This depends on the purchase price of your property, the nature of the property, and your individual circumstances.

If the property is located in England you can calculate the amount of Stamp Duty Land Tax you will need to pay by using HMRC's website here: <https://www.tax.service.gov.uk/calculator-stamp-duty-land-tax/#/intro>.

If the property is located in Wales you will pay Land Transaction Tax. You can calculate the amount you will need to pay by using the Welsh Revenue Authority's website here: <https://beta.gov.wales/land-transaction-tax>.

HM Land Registry fee. This depends on the purchase price of your property. You can calculate the amount you will need to pay using the Land Registry website: <http://landregistry.data.gov.uk/fees-calculator.html>.

Search fees. It is standard practice when purchasing a property to undertake a number of searches against the property to provide important information such as whether it is connected to mains water, there are any planning restrictions or if it is likely to be affected by flooding for example. These searches are provided by third parties who charge a fee. These fees differ depending upon the provider, the locality and the type of search.

A standard local authority search in Emsworth costs £xxxx (including VAT). A water and drainage search from Southern Water costs £xxxxx (including VAT).

These third party expenses need to be paid by you in addition to our legal fee. The example given below shows the standard searches usually undertaken. Additional searches may be appropriate in some circumstances and if that were the case we would discuss this with you and advise you of the cost.

Our fees. Our fees for acting on a purchase will depend on a number of factors, such as complexity, value, urgency, the nature of the property and how you are funding your purchase.

The fees we give below are based on a straightforward transaction without complicating factors. Sometimes problems come to light during the course of the transaction, such as the seller not having obtained building regulation approval for a conservatory or a boundary is in the wrong place. These problems will require extra work to be done and more time required to complete your purchase. This will mean the cost may be higher. We will let you know if such problems arise and advise you if this will have an impact on the fee we will charge.

Purchase of freehold house at the purchase price of £325,000			
		VAT	Total
Our Professional Fees	£795.00	£159.00	£954.00
Lender Legal Fees	£100.00	£20.00	£120.00

Land Registry Fees	£135.00		£135.00
Local and Environmental Search Fees	£165.00	£33.00	£198.00
Land Registry Search Fee	£ 3.00		£ 3.00
Money Laundering	£ 5.00	£ 1.00	£ 6.00
Money Transfer Fee	£ 30.00	£ 6.00	£ 36.00
Total:	£1,233.00	£219.00	£1,452.00

Please note these figures are based on our experience of dealing with previous cases. The prices are estimates for a standard matter.

How long will my house purchase take?

How long it will take from you instructing us to act for you until you can move into your house will depend on a number of factors. The average process takes between 10-12 weeks.

It can be quicker or slower, depending on the parties in the chain. For example, if you are a first time buyer, purchasing a new build property with a mortgage in principle, it could take 10 weeks. However, if you are buying a property in a chain or with title issues, it can take significantly longer, between 3 and 4 months. In such a situation, additional charges may apply.

Sale of a freehold property

Our fees cover all of the legal work required to complete the sale of your home. The fee that we quote to you will also include any legal work to be undertaken on behalf of your lender in the redemption of a mortgage secured on the property where applicable.

Purchase of a leasehold property Where you are purchasing a leasehold property all of the legal work relating to a freehold property detailed above will apply but there are also additional factors that need to be dealt with which means that a leasehold purchase requires more work and our legal fee will be higher.

For example, we will need to review and report to you on the terms of the lease, raise enquiries with the managing agent about how the communal areas are looked after and check that the seller has paid all service charges.

Our fee The time taken to complete this additional work will usually be an extra 2 hours which means our fee for the legal work on the purchase of a leasehold property is usually £400 plus VAT higher. This would give a total fee of £1,200 to £1,800 plus VAT and expenses.

Expenses As well as the third party expenses given in relation to a freehold property purchase, there are additional expenses that will be incurred on a leasehold purchase.

These include:

- **Notice of Transfer fee** This fee if chargeable is set out in the lease. Often the fee is between £30 and £100.
- **Notice of Charge fee (if the property is to be mortgaged)** This fee is set out in the lease. Often the fee is between £30 and £100.
- **Deed of Covenant fee** This fee is provided by the management company for the property and can be difficult to estimate. Often it is between £250 and £500.
- **Certificate of Compliance fee** To be confirmed upon receipt of the lease, as it can range between £250 and £500. If there is a management company there may be additional costs involved.

These fees vary from property to property and can on occasion be significantly more than the ranges given above. We can give you an accurate figure once we have sight of your specific documents.

You should also be aware that ground rent and service charge are likely to apply throughout your ownership of the property. We will confirm the ground rent and the anticipated service charge once it is available to us.

Sale fees Our fees for acting on a sale will depend on a number of factors, such as complexity, value, urgency, and the nature of the property.

The fees we give below are based on a straightforward transaction without complicating factors. Sometimes problems come to light during the course of the transaction, such as an inadvertent breach of a covenant affecting your property or a boundary is in the wrong place. These problems will require extra work to be done and more time required to complete your sale. This will mean the cost may be higher. We will let you know if such problems arise and advise you if this will have an impact on the fee we will charge.

Sale of freehold house at the sale price of £325,000			
		VAT	Total
Our Professional Fees	£795.00	£159.00	£954.00
Land Registry Search Fee	£ 3.00		£ 3.00

Money Laundering	£ 5.00	£ 1.00	£ 6.00
Money Transfer Fee	£ 30.00	£ 6.00	£ 36.00
Total:	£ 833.00	£ 166.00	£ 999.00

Third party expenses Expenses are costs related to your matter that are payable to third parties, such as Land Registry fees. We collect the payment for these expenses from you and deal with the payment on your behalf to ensure a smoother process. The expenses that are usually payable on a sale include a charge by Land Registry for a copy of your title (£3 per copy) and an electronic bank transfer fee (£36.00 including VAT).

How long will my house sale take? How long it will take from you instructing us to act for you until you complete the sale of your property will depend on a number of factors. The average process takes between 10-12 weeks.

It can be quicker or slower, depending on the parties in the chain. For example, if your buyer is a first time buyer with no property to sell themselves and a mortgage offer in place, it could take 10 weeks. However, if you are selling to a buyer in a chain or there are any legal issues relating to your property that need to be resolved, it can take significantly longer, between 3 and 4 months. In such a situation, additional charges may apply.

Sale of a leasehold property Where you are selling a leasehold property all of the legal work relating to a freehold property detailed above will apply but there are also additional factors that need to be dealt with which means that a leasehold sale requires more work and our legal fee will be higher.

We will need to liaise with the managing agents/management company on behalf of the Landlord to provide replies to enquiries regarding, for example the building and communal areas.

Our fee The time taken to complete this additional work will usually be an extra 2 hours which means our fee for the legal work on the sale of a leasehold property is usually £400 plus VAT higher. This would give a total fee of £1,200 to £1,800 plus VAT and expenses.

Expenses As well as the third party expenses given in relation to a freehold property sale there are additional expenses that will be incurred on a leasehold sale.

These will include, for example, the fee charged by such managing agent or management company for providing standard information and replies to standard and other enquiries relating to the building and/or communal areas together with confirmation that you the seller are up to date with any service charge payments. The fee charged varies significantly

depending upon the managing agent/management company but is usually in the region of £200-£300 plus VAT.

Mortgages and re-mortgages (not in conjunction with a purchase) Our fees for acting on the mortgage/remortgage will depend on the nature of the transaction and on a number of factors, such as complexity, value, urgency and the nature of the property as well as any specific requirements of the mortgagee.

An average fee will be between £400 and £700 plus VAT. In addition there will be third party expenses which include the Land Registry fee of between £20 and £910; a bankruptcy search per name (£2); priority search per title (£3); official copy of the title and any documents required (£3 – £12).

Stages of the Process

The precise stages involved in the purchase of a residential property vary according to the circumstances.

