

Milwyn Jenkins Fee Guidelines

VAT on our Legal Charges

VAT is chargeable at the rate of 20% on our legal charges and some disbursements. If we provide services to enable us to render services to our clients, we have to charge VAT on these disbursements.

Probate and Estate Administration Services

With regard to probate and estate administration services where assets are within the UK and matters not contested, we would advise you that our administration fees will vary depending on the size and complexity of the case. Some applications can be dealt with for £1,500+VAT and others, such as a complex and a large estate, could cost in excess of £15,000+VAT.

Our hourly rate is £285+VAT and we do also raise an uplift fee on a percentage basis on the value of the estate. Please note we will also charge for disbursements. These are costs relating to your matter that are payable to third parties, such as:

- Certainty Wills Search fees (£108)
- Statutory Notices in the local newspaper and London Gazette (approx. £450)
- Probate Registry fee is £273 and Office Copies are £1.50 each
- Anti-money-laundering searches are between £11-£30 (inc.VAT) per Executor/Administrator
- Bankruptcy searches against relevant beneficiaries are £2+VAT per name

We would charge additionally for work in relation to a Deed of Variation of a will.

We would expect to obtain a Grant of Probate/Letters of Administration in a very simple estate within 3-4 months, provided paperwork is made available to us on time. If the case is more complex, it would take between 6-12 months to obtain. We would normally expect estate matters to be completed and distribution to take place within 6-12 months, but complex estates may take considerably longer.

We will assist you in relation to the following:

- Consideration and explaining the terms of the Will and what is required in order to apply for and obtain a Grant of Probate or, if there is no Will, a Grant of Letters of Administration.
- Explaining the duties of the Executors or Administrators.
- Administration of the Estate, before and after the issuing of the Grant, including disclosure of details of all assets to HM Revenue & Customs. Calculating the Inheritance Tax liability and liaising with HMRC.
- Transferring assets including any property to the relevant Beneficiaries.
- Dealing with any disputes that arise.
- Preparing the Estate Accounts.
- Making distributions to the Beneficiaries.
- Winding up the Estate and obtaining a Tax Clearance Certificate, if relevant, from HMRC.

Purchase of a Freehold Residential Property

Our fees cover all work required to complete the purchase of a residential property including dealing with registration at the Land Registry.

- Our legal fees for the purchase of a residential property range between £1,200 to £2,500+VAT. Our hourly rate is £285+VAT.
- Depending on the area in which the property is situated, the search fees are approximately £400.00.
- Land Registry fees are based on the value of the property and whether or not we can make an electronic registration application and range from £20.00 to £900.00.

We charge for electronic money transfers by CHAPS and we also make a nominal charge for photocopying.

The estimated total for a Conveyancing transaction for the purchase of a residential property is on average between £1,200 and £2,000. If the property you are purchasing is leasehold, our fees will be greater, because there is more work involved in such transactions.

Disbursements – costs which are payable to third parties, such as search fees and Land Registry fees – are paid out of monies we ask you for up-front at the beginning of the transaction.

Stamp Duty/ Land Transaction Tax

We also deal with drafting and submitting the return for Stamp Duty if the property is in England or Land Transaction Tax if the property is in Wales. We charge £160.00+VAT to draft and submit the return and to pay the Stamp Duty or Land Transaction Tax on your behalf. This depends on the price of the property you are purchasing and whether it is situated in England or Wales. Also, there is a surcharge on the tax if you are purchasing a second home. We can provide details regarding this when we are aware of your personal situation. The time it takes to complete a purchase transaction depends on a number of factors. The average process takes approximately 8 weeks, although this can be shorter or longer depending on the parties in the chain. The stages involved in a transaction for the purchase of a residential property vary greatly due to the circumstances of each transaction. However, we set out below some key stages in the transaction which you may find useful:

- Taking your instructions and giving you initial advice including taking proof of your identity and address and discussing the finances for the transaction.
- Receiving contract documentation.
- Carrying out searches.
- Making the necessary enquiries of the sellers' Solicitor.
- Receiving your Mortgage Offer if applicable.
- Reporting to you on all matters and having an interview with you to go through all the documentation and for you to sign the necessary documentation.
- Agree a completion date and receive the deposit monies from you.
- Exchange contracts and notify you that this has taken place.
- Arrange for mortgage monies to be received and any top up monies to be received from you.
- Complete the matter.
- Deal with the submission of the Stamp Duty / Land Transaction Return and pay the duty.
- Deal with registration at the Land Registry.

In respect of the purchase of a Leasehold residential property, there are sometimes additional disbursements e.g., a fee for a notice of the transfer or a notice of a charge and sometimes a fee for a deed of covenant or a certificate of compliance if there is a restriction on the register. These vary from property to property. The transaction itself is similar to the purchase of a freehold property but there is usually extra work involved in dealing with a Landlord and Management Company.

Debt Recovery – Court Claims

These costs apply where your claim is in relation to an unpaid invoice which is not disputed and enforcement action is not needed. If the other party disputes your claim at any point, we will discuss any further work required and provide you with revised advice about costs if necessary, which could be on a fixed-fee basis e.g. if one letter is required to be sent on your behalf or on an hourly rate basis (£285+VAT) if more extensive work is required.

<i>Debt value</i>	<i>Court fee</i>	<i>Our Fee</i>
Up to £5000	£25 to £205	£425+VAT
£5,001 to £10,000	£410 to £455	£525+VAT
£10,000 to £50,000	5% value of the claim	2% value of the claim + VAT

Please note:

- The VAT element of our fee cannot be reclaimed from your debtor
- Interest and compensation may take the debt into a higher banding with a higher cost.
- The costs quoted are not for matters where enforcement action, such as bailiffs, is needed.

Our fee includes:

- Taking your instructions and reviewing documentation
- Undertaking appropriate searches e.g., bankruptcy search
- Sending a letter before action
- Receiving payment and sending on to you, or if the debt is not paid, drafting and issuing the claim
- Where no acknowledgement of service or defence is received, applying to the court to enter judgement in default
- When judgement in default is received, we will write to the other side to request payment
- If payment is not received within 14 days, providing you with advice on the next steps and the likely costs

Matters usually take three to ten weeks from receipt of a client's instructions to receipt of payment from the debtor, depending on whether or not it is necessary to issue a claim. This is on the basis that the debtor pays promptly on receipt of the Judgement in default. If enforcement action is needed, the matter will take longer to resolve.