

## Conveyancing

Please see the schedule of basic costs for residential freehold sales and purchases, below, these are based upon the value of the property. The additional costs are only applied should we be required to deal with the item shown. For example, if you do not have a mortgage, we will not charge you for dealing with a mortgage.

### Basic costs (freehold property)

Property Value	Sale	VAT	Total	Purchase	VAT	Total
Up to £150,000.00	£ 575.00	£115.00	£ 690.00	£ 625.00	£125.00	£ 750.00
£150,001 to £250,000	£ 625.00	£125.00	£ 750.00	£ 675.00	£135.00	£ 810.00
£250,001 to £350,000	£ 675.00	£135.00	£ 810.00	£ 725.00	£145.00	£ 870.00
£350,001 to £450,000	£ 725.00	£145.00	£ 870.00	£ 800.00	£160.00	£ 960.00
£450,001 to £550,000	£ 800.00	£160.00	£ 960.00	£ 900.00	£180.00	£1,080.00
£550,001 to £650,000	£ 900.00	£180.00	£1,080.00	£1,000.00	£200.00	£1,200.00
£650,001 to £750,000	£1,000.00	£200.00	£1,200.00	£1,100.00	£220.00	£1,320.00
£750,001 to £850,000	£1,100.00	£220.00	£1,320.00	£1,250.00	£250.00	£1,500.00
Over £850,001	Please contact us for a tailored quotation					

### Additional costs

Description (costs only charged if applicable)	Cost	VAT	Total
Anti-Money Laundering Check (per person)	£ 15.00	£ 3.00	£ 18.00
SDLT Return Submission *	£ 75.00	£ 15.00	£ 90.00
CHAPS Bank Transfer fee (per payment)	£ 25.00	£ 5.00	£ 30.00
Help to Buy ISA /Lifetime ISA Bonus (per ISA)	£ 75.00	£ 15.00	£ 90.00
Help to Buy Scheme	£ 100.00	£ 20.00	£ 120.00
Dealing with charge/restriction i.e. Mortgage (per entry in title)	£ 100.00	£ 20.00	£ 120.00
Gifted Deposit (per gift)	£ 75.00	£ 15.00	£ 90.00
Dealing with Indemnity Insurance Policy (per policy)	£ 75.00	£ 15.00	£ 90.00
New build property	£ 175.00	£ 35.00	£ 210.00
Lawyer Checker	£ 25.00	£ 5.00	£ 30.00
Preparation of Service of Notice (under leasehold legislation)	£ 275.00	£ 55.00	£ 330.00
Preparation of Trust Deed (per deed)	£ 350.00	£ 70.00	£ 420.00
Unregistered title	£ 175.00	£ 35.00	£ 210.00
Leasehold - Service Charge/Ground Rent	£ 75.00	£ 15.00	£ 90.00
Auction/Expedition Property	£ 250.00	£ 50.00	£ 300.00
HMLR Office copy entries (per document)	£ 3.00	£ 0.60	£ 3.60
HMLR Official searches (per title)	£ 3.00	£ 0.60	£ 3.60
HMLR Bankruptcy Search (per person)	£ 2.00	£ 0.40	£ 2.40

### Alternate transaction costs

Description	Cost	VAT	Total
Re-mortgage / Discharge of mortgage	£ 550.00	£110.00	£ 660.00
Equity release	£ 550.00	£110.00	£ 660.00
Purchase of freehold	£ 650.00	£130.00	£ 780.00
Purchase of leasehold extension	£ 650.00	£130.00	£ 780.00
Transfer of title	£ 550.00	£110.00	£ 660.00
Right to Buy scheme	see basic costs, above		

### Disbursements

Description	Cost
Local searches (approx.)	£ 375.00
HMLR Registration Fee **	Various
Stamp Duty Land Tax ***	Various

\* SDLT returns must be submitted within 14 days of the transaction completing where the value of the property purchased is in excess of £40,000.00. Returns are due even if no duty is payable.

\*\* Land Registry Fees are based on the purchase price and will increase if the property you are buying is unregistered or is a brand-new plot. For further information please call us on 0121 354 1515

\*\*\* SDLT fees are based on the purchase price and will vary dependant on other factors such as purchasing a second property, for more information please call us on 0121 354 1515

Our fees cover all reasonable work required to complete your matter, providing that the matter proceeds as we would expect a 'typical' transaction to. For example (but not limited to) there are no issues with planning permission, there are no 'abortive' transactions (this is where you or the other party withdraw from the transaction prior to an exchange of contracts) etc.. Should your matter take an unexpected turn, we will advise if this will result in an increase to our basic charges and inform you the amount of the increase and what is covered by the uplifted fee.

An example quotation for a sale and purchase of freehold properties by two individuals where both the sale and purchase include dealing with a mortgage is, as follows:

Sale: sale price £250,000.00

Basic professional charges	£625.00	+ VAT	£125.00
Anti Money Laundering check	£30.00	+ VAT	£6.00
£15.00 plus VAT (£18.00 inclusive of VAT) per person			
Dealing with mortgage lender	£100.00	+ VAT	£20.00
HMLR office copy entries (per document)	£3.00	+ VAT	£0.60
CHAPS bank transfer fee	£25.00	+ VAT	£5.00

**Estimated total: £783.00 plus VAT (£939.60 inclusive of VAT)**

Purchase: purchase price £295,000

Basic professional charges	£725.00	+ VAT	£145.00
Dealing with mortgage lender	£100.00	+ VAT	£20.00
HMLR official search (per title)	£3.00	+ VAT	£0.60
HMLR bankruptcy search	£4.00	+ VAT	£0.80
£2.00 plus VAT (£2.40 inclusive of VAT) per person			
Lawyer Checker	£25.00	+ VAT	£5.00
CHAPS bank transfer fees	£50.00	+ VAT	£10.00
SDLT return submission	£75.00	+ VAT	£15.00

Disbursements – local searches approx. £375.00

**Estimated total, excluding Stamp Duty Land Tax\* (SDLT): £982.00 plus VAT (£1,553.40 inclusive of VAT and local searches)**

Disbursements are costs related to your matter that are payable to third parties e.g. HM Land Registry fees. We make the payment of the disbursements on your behalf to ensure a smoother process. We are unable to control the value of disbursements as these are set by third parties. However, we will obtain your instructions prior to incurring any disbursements, which are not set out in our engagement letter.

\*Stamp Duty Land Tax (on purchase) depends on the purchase price of your property and your personal circumstances, these rates are set by HM Revenue and Customs (HMRC).

### **Typical stages of the Conveyancing process**

The precise stages involved vary according to the circumstances. However, below are the typical stages we would expect a 'typical' freehold residential sale to follow:

- Take your instructions, issue engagement letter and terms of business
- Obtain HM Land Registry office copy entries / review title deeds
- Issue draft contract documentation
- Contact Mortgage lender to request redemption statement, if applicable
- Reply to any necessary enquiries of buyer's solicitor
- Advise on all documents and information received
- Send final contract/transfer and documents to you for signature
- Agree completion date (date from which you no longer own the property)
- Exchange contracts and notify you that this has happened (this may be simultaneous to completion)
- Complete transaction
- Discharge mortgage and/or charges on completion, if applicable
- Discharge estate agents invoice, if applicable
- Distribute net sale proceeds in accordance with HM Land Registry title

Again, the precise stages involved vary according to the circumstances. However, below are the typical stages we would expect a 'typical' freehold residential purchase to follow:

- Take your instructions, issue engagement letter and terms of business
- Check finances are in place to fund purchase and contact mortgage lender, if applicable
- Receive and advise on contract documents
- Receive mortgage offer, if applicable
- Carry out local searches, if applicable
- Obtain further planning documentation, if applicable
- Make any necessary enquiries of seller's solicitor
- Advise on all documents and information received
- Go through conditions of mortgage offer with you, if applicable
- Advise on joint ownership, if applicable
- Draft Transfer
- Send final contract/transfer and documents to you for signature
- Agree completion date (date from which you own the property)
- Exchange contracts and notify you that this has happened (this may be simultaneous to completion)
- Obtain pre-completion searches
- Arrange for all monies needed to be received from mortgage lender and you
- Complete transaction
- Deal with Stamp Duty Land Tax submission and payment, if applicable
- Deal with application for registration at HM Land Registry

### **Leasehold residential property**

Our professional charges for leasehold properties are the basic costs for residential freehold sales and purchases plus an additional £75.00 + VAT (£90.00 inclusive of VAT) per transaction (as per the schedule of additional costs). The basic details, timescales and assumptions for leasehold properties are very similar to those of freehold properties. However, there are a number of additional steps required to assign the lease which can sometimes increase the time it will take to conclude your matter. This section sets out any additional steps, disbursements and costs.

There are disbursements, in addition to those of freehold matters, which are usually set out in the individual lease relating to the property. The disbursements which we anticipate will apply are set out separately below. This list is not exhaustive as other matters may arise and other disbursements may apply depending on the terms of the lease. We will update you on the specific fees upon receipt and review of the lease/management pack(s) from the seller's solicitors.

Notice of Transfer fee\* – this fee if chargeable is set out in the lease.

Notice of Charge fee\* (if the property is to be mortgaged) – this fee is set out in the lease.

Deed of Covenant fee\* – this fee is provided by the management company for the property and can be difficult to estimate.

Certificate of Compliance fee\* - to be confirmed upon receipt of the lease.

\*These fees vary from property to property and can on occasion be high. However, these are set by the terms in the lease.

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 as soon as this we receive this information.

### **Typical stages of the process**

The precise stages involved vary according to the circumstances. However, the typical stages we would expect a 'typical' matter to follow are very similar to those of freehold matters as above, the additional stages for leasehold properties are, as follows:

- Establish who the freeholder & management company are
- Apply for/obtain management pack or similar from freeholder/management company
- Review management pack or similar
- Raise leasehold enquiries
- Advise as to length of lease if a 'short lease' as these usually need careful consideration
- Advise of any potential future implications of clauses within lease, if applicable
- Review any forfeiture clause (clause which can lead to the lease being ended), contact lender/freeholder and discuss your options with you, if applicable
- Review/prepare Notice of Assignment, if applicable
- Review/prepare Deed of Covenant, if applicable
- Calculation of apportionments of service charge and/or ground rent
- Deal with notice of assignment/any relevant restriction as part of application for registration at HM Land Registry

### **Timescales (both freehold and leasehold)**

How long it will take to conclude your matter from offer being accepted until completion of sale/purchase of a property will depend on a number of factors. On average the process takes between 8-14 weeks from receipt of contract documentation (purchase)/memorandum of sale (sale).

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 would usually be quicker than if you are buying a leasehold property that requires an extension of the lease as this requires more work and can take longer.

### **Handling of your matter**

Anne Jerome entered as a Fellow of the Institute of Legal Executives (F.CILEx) in 2008 and has over 30 years of experience in residential conveyancing. Anne specialises in residential conveyancing matters and has conducted most residential conveyancing instructions at the firm.

The remaining residential conveyancing matters are dealt with by Ian Roskell, James Roskell and Ben Hartshorne.

Ian Roskell is a Director of Roskell Legal Limited, Ian qualified as a Solicitor in November 1978 and has over 40 years of experience in residential conveyancing. Ian is vastly experienced in private Client work, in particular, Court of Protection (Ian is appointed by the Public Guardian as a Court-approved Panel Deputy), Elderly Client and care fee matters.

James Roskell is a Director of Roskell Legal Limited, James qualified as a Solicitor in March 2005 and has over 15 years of experience in residential conveyancing. James is vastly experienced in private Client work, in particular, Probate and Estate administration, James has practiced with Ian since 2002.

Ben Hartshorne qualified as a Solicitor in January 2016 and joined Ian and James shortly after. Ben is highly experienced in Wills, Lasting Powers of Attorney, Enduring Powers of Attorney and Trusts. Ben assists with progressing conveyancing matters.

Ian Roskell supervises all residential conveyancing matters.

## Probate

All fees for non-contentious probate and estate administration are based on our hourly rates. When dealing with certain limited types of estate a value element in addition to our hourly rates may be applicable. However, a value element is not always appropriate and should a value element be applicable this will be outlined in our estimate and detailed in our engagement letter.

Costs for applying for a Grant of Probate (where there is a valid will an individual passes away 'Testate') start at £750.00 plus VAT (£900.00 inclusive of VAT). Costs for applying for a Grant of Probate, the sale of one freehold residential property and the distribution of the net sale proceeds as per a Will start at £1,750.00 + VAT (£2,100.00 inclusive of VAT). These estimates represent our minimum charges and are based on the assumption there is a will (the estate is Testate) and there is no Inheritance Tax (IHT) payable.

Costs for applying for Letters of Administration (where no valid will is located an individual passes away 'intestate' and the estate is distributed as per the Intestacy Rules) start at £850.00 plus VAT (£1,020.00 inclusive of VAT). Costs for applying for Letters of Administration, the sale of one freehold residential property and the distribution of the net sale proceeds as per intestacy rules start at £2,000.00 plus VAT (£2,400.00 inclusive of VAT). These estimates represent our minimum charges and are based on the assumption there is no IHT payable.

Intestate estates can require slightly more work than a Testate estate to establish as to whether there is a valid will and the full extent of the family tree to identify the beneficiaries of the estate using the Intestacy Rules. However, there is also the possibility that an 'Intestate' estate can be more straightforward i.e. widower leaving one issue (child). It is possible for a Personal Representative (PR) to provide family tree details and all known beneficiaries confirm in writing the extent of the family tree. However, we would always advise to obtain a professional Genealogist family tree and relevant indemnity policy to indemnify the Personal Representative and beneficiaries should a missing beneficiary be located in the future. The disbursement cost of obtaining a professional Genealogist family tree will be agreed with you before formal instructions are given to a Genealogist.

IHT taxable estates will be charged at hourly rates, we are unable to provide an indication of our costs within this guide as the circumstances of each estate are unique and this will impact on the number of hours work required to deal with the matter. We offer a free consultation to provide a no obligation estimate of our professional charges using the information provided in the consultation based on the hourly rates. We can give you a more accurate estimate once we have more information.

Our charges depend on a number of factors and it can be difficult to provide an accurate estimate with limited information. Again, should your matter take an unexpected turn, we will advise if this will result in an increase to our estimate and/or timescale of your matter and inform you the estimated amount of the increase and what is covered by the uplifted estimate.

Our hourly rates for estate work are as follows:

Solicitor	£200.00 + VAT
Senior Associate	£200.00 + VAT

Associate	£175.00 + VAT
Legal Executive	£145.00 + VAT
Paralegal	£145.00 + VAT
Legal Clerk	£100.00 + VAT

The exact cost will depend on the individual circumstances of the matter. For example, if there is a non-taxable matter where there is one beneficiary, no property and a sole bank account, costs will be likely be reduced compared to a taxable matter where there are multiple beneficiaries, a property and multiple bank accounts/shareholdings.

The factors which may impact on our costs include but are not limited to:

- If there is not a valid will located
- If a genealogist is instructed and the family tree is complex
- If there is more than one property
- If there is a property with complex lease matters
- If there are more than 3 bank or building society accounts
- If there are assets held in stocks and shares
- If there are other intangible assets (a non-monetary asset without physical substance i.e., a license to operate as a taxi)
- If there are a large number of beneficiaries
- If there are beneficiaries outside of the UK
- If there are disputes between beneficiaries on division of assets
- If there is IHT payable and the executors need to submit a full account to HMRC
- If there are assets held outside of the UK
- If there are claims made against the estate (both by potential beneficiaries or creditors)
- If there are large liabilities to be reconciled before being discharged
- If we are instructed to deal with general matters aside from tangible assets

If Department for Work and Pensions make a claim against the estate, our costs for dealing with this are charged in addition to the estimate and based on hourly rates.

Disbursements are costs related to your matter that are payable to third parties e.g. probate application fee. We make the payment of the disbursements on your behalf to ensure a smoother process. We are unable to control the value of disbursements as these are set by third parties. However, we will obtain your instructions prior to incurring any disbursements, which are not set out in our engagement letter.

Likely disbursements in all estate matters are as follows:

- Probate application fee of £155.00 plus £1.50 for each additional office copy
- Bankruptcy-only Land Charges Department searches £2.00 + VAT (£2.40 inclusive of VAT) per beneficiary
- £124.32 The London Gazette Notice – Protects against unexpected claims from unknown creditors (this fee increases each year, correct as of January 2022)

- Genealogist – in cases where no valid will is located, this fee and disbursements varies dependent on outcome of research undertaken
- IHT – can only be calculated once the full extent of the estate is known
- Third-party database will search – can assist with locating a will / ensuring the last known will is located £114.00

Our example estimates provided do not include any disbursements.

### **Typical stages of the process**

The precise stages involved vary according to the circumstances. However, below are the typical stages we would expect a 'typical' testate non-taxable matter where we are instructed to deal with the estate as a whole to follow:

- Establish if there is a valid will
- Establish if the will is the last known will
- Identify the legally appointed executors or administrators and beneficiaries confirming solvency
- Hold consultation and discuss the extent of the estate
- Provide a detailed estimate and set out the basis of the estimate and our assumptions made
- 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 IHT forms, if applicable
- Make the application to the Probate Registry on your behalf
- Obtain the Grant of Probate and send a copy to you
- 'Call-in' all Estate assets
- Discharge liabilities of the estate
- Distribute the estate as per the will

### **Additional stages if intestate**

- Identify preliminary family tree information as per the Intestacy rules
- Identify individual with relevant authority to act as Personal Representative (PR)
- Obtain quote/disbursement cap from Genealogist's for family tree
- Liaise with PR to obtain instructions in relation to quote/disbursement cap for Genealogist family tree
- Liaise with Genealogist to assist should any additional information/instructions be required
- Review Genealogist family tree
- Contact beneficiaries to obtain relevant identification/proof of address to verify beneficiary as per Genealogist family tree confirming solvency
- Obtain missing beneficiary indemnity policy to protect PR/beneficiaries, if available to be obtained
- Should a PR wish to go against advice and not instruct a Genealogist for the preparation of a family tree, we will advise as to why the PR should instruct for Genealogist family tree and risk to the PR/beneficiaries should the PR not instruct for Genealogist family tree to be prepared.



#### Additional stages if IHT taxable

- Establish full extent of estate
- Complete an IHT return
- Make on account payment in respect of IHT
- Make any balance payments in respect of IHT
- Monitor value of estate to ensure as per IHT return, if changed inform HMRC and pay or reclaim difference

#### Timescales

How long it will take to progress your matter to distribution will depend on a number of factors.

It can be quicker or slower, depending on the complexity of matters. It normally takes approximately 4-6 weeks to collate the relevant information, prepare the forms as part of the application and arrange signature. However, this is dependent on information being provided by you or replies from third parties.

The Grant of Probate is normally available within 8-12 weeks of being lodged with Probate Registry.

Once in receipt of the Grant of Probate/Letters of Administration it would usually take between a further 6-10 weeks to call in the assets of the estate. Again, this is dependent on replies from third parties. Once this is concluded we are usually then in a position to distribute the estate. These timescales are on the basis of a 'typical' non-taxable testate matter. The timescales for dealing with the sale of a property as part of an estate are as detailed above.

Again, the timescales will depend on the individual circumstances of the matter. For example, if there is a non-taxable matter where there is one beneficiary, a freehold residential property and a sole bank account and the funeral account is the only estate liability it would usually be quicker than if the matter is taxable and comprises of a leasehold property that requires an extension of the lease, multiple bank accounts/shareholdings and numerous creditors with several beneficiaries as this will require additional work and can take longer.

#### Value element (where relevant/agreed)

A value element is a percentage of the gross probate valuation of the estate. A value element reflects the risk involved where we are handling funds on behalf of an Estate. An agreed value element is only relevant where we are instructed to administer an estate as a whole and is not always appropriate.

Should a value element be relevant this will be outlined in our estimate and detailed in our engagement letter. We use the rates recommended by The Law Society, as follows:

Where lay person appointed Executor:

Gross Estate less residence: 1% plus VAT

Property: 0.5% plus VAT

Where Solicitor appointed as Executor

Gross Estate less residence: 1.5% plus VAT

Property: 0.75% plus VAT

An illustration of as to how a value element may be applied is, as follows:

Should an Estate with a lay Executor(s) be worth a gross value of £400,000.00 including a property sold for £300,000.00 our value element, if relevant, would be 1% of the gross estate (less property) (1% of £100,000.00 total £1,000.00 plus VAT £1,200.00 including VAT) and 0.5% of the property sale price £300,000.00 (0.5% of £300,000.00 total £1,500.00 plus VAT £1,800.00 plus VAT) total £2,500.00 plus VAT £3,000.00 inclusive of VAT.

Should an Estate with a professional executor be worth a gross value of £600,000.00 including a property sold for £400,000.00 our value element, if relevant, would be 1.5% of the gross estate (less property) (1.5% of £200,000.00 £3,000.00 plus VAT £3,600.00 including VAT) and 0.75% of the property sale price £400,000.00 (0.75% of £400,000.00 total £3,000.00 plus VAT £3,600.00 including VAT) total £6,000.00 plus VAT £7,200.00 inclusive of VAT.

The value element would be in addition to any hourly rate estimate for dealing with the probate and estate administration.

### **Handling of your matter**

James Roskell is a Director of Roskell Legal Limited, James qualified as a Solicitor in March 2005 and has over 15 years of experience in probate and estate administration. James is vastly experienced in private Client work, in particular, Probate and estate administration, James has practiced with Ian since starting in 2002.

Ian Roskell is a Director of Roskell Legal Limited, Ian qualified as a Solicitor in November 1978 and has over 40 years of experience in Probate and estate administration. Ian is vastly experienced in private Client work, in particular, Court of Protection (Ian is appointed by the Public Guardian as a Court-approved Panel Deputy), Elderly Client and care fee matters.

Ian Roskell supervises all probate and estate administration matters.

*Please note these indications of prices are not binding as we are unable to pre-empt unusual complexities or that a client may not follow our advice. If your instructions change during the course of the matter, it is likely that our costs will change and we will update you of this revision.*

*The information published was last reviewed in January 2022 and is correct as of that date.*