

# Probate and Estate Administration Disclosure Guide

## **MHA Trustee and Probate Services is the trading name of MHA Trustees Corporation Limited.**

MHA Trustees Corporation Limited is licensed by the ICAEW to carry out the reserved legal activity of non-contentious probate in England and Wales.

Details of our probate accreditation can be viewed at [rs.icaew.com](https://rs.icaew.com) under reference number C011004369.

As a result, MHA Trustee and Probate Services are able to complete the whole Probate service, preparing the Inheritance Tax Return, advising on tax matters, obtaining the Grant of Probate or Letters of Administration and administration of the estate (collecting in assets and distributing to the beneficiaries).



## Stages of probate and timescales

Stage being completed	Time in Month(s)	Factors affecting timescales
Gathering estate information, including valuation of property and financial assets etc. Assessment of Will and Codicils or intestacy to identify the beneficiaries.	1 - 5	Third party responses, assets that may be difficult to value such as business assets or foreign property
Preparation of Grant application, including where necessary the preparation of the Inheritance Tax Account and calculating inheritance tax due, and submission of paperwork.	3-6	Complexity of estate
Papers with HMRC and Probate Registry for processing.	5-8	HMRC and Court timescales
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<b>Administration of the Estate (once the Grant is issued)</b>		
Collection of assets	6-12	Dependant on nature of assets, property to sell/transfer etc.
Estate accounts prepared	6-18	
Estate liabilities discharged	6-18	
Interim distributions to beneficiaries	8-18	All affected generally by the complexity of the estate and nature of the assets
Finalising income tax, capital gains tax and inheritance tax and obtaining appropriate clearances from HMRC	8-18	
Final distributions	12-24	

The above is only meant as a guide and all cases will be different depending on the specific facts and circumstances of the case.

## Pricing

MHA Trustee and Probate Services bases its fees for this service on the time costs involved in a particular case. Each case will be different depending on the factors involved and will require different levels of input from the Probate team and therefore the indicative fees below are not to be considered a fixed or pre-agreed price. We will provide a quote for the work expected to be required for the specific estate on request and stick to this as far as possible but please bear in mind that where unexpected complications arise the fees can exceed personal quotes but you would be kept apprised of any such increase.

### Grant only – client does their own administration/collection of assets etc

Work	Example	Indicative Fee
Excepted Estate	Taxable value under Nil Rate Band (NRB) (currently 325k), total estate under £3m, spouse or charity exemption claimed	£1,000 - £1,500
IHT400 – non taxable	Estate value either under available NRB (including Residence NRB and transferable NRB if available) or above the NRB and reliefs are available (i.e. BPR or APR) but does not qualify as an excepted estate	£1,500 - £2,500
IHT400 - taxable	Estate over available NRB and Residence NRB (up to £650k or £1m with full transferable NRB and RNRB) so tax to pay, professional valuations required etc	£2,000 - £5,000
IHT400 – taxable (complex)	As above, possible business assets, grossing up, charity exemptions, exempt and non-exempt gifts, multiple properties, arranging payment of tax if required	£5,000+

## Pricing

**Grant and administration – includes above and collection and distribution of assets as required**

Work	Example	Indicative Fee - Grant and Administration
Excepted Estate	As above, plus collection and distribution of estate	£2,000-£4,000
IHT400 – non taxable	As above, plus collection and distribution of estate	£3,000+
IHT400 - taxable	As above, plus collection and distribution of estate	£4,500+
IHT400 – taxable (complex)	As above, plus collection and distribution of estate	£7,500+

There are disbursement costs which will be payable in addition to the MHA Trustee and Probate Services, such as court fees, valuation fees etc. and any additional tax advisory work (such as considering the availability of IHT exemptions, liaising with assets and valuation offices etc) is charged on a time spent basis over and above any quote for the probate and estate administration work.

Fees above do not include any estate tax returns, or returns to date of death for which fees are £500+ depending on complexity.

We do not quote on a % basis of the estate and do not charge 'added value' fees if the firm is acting as an executor.

### Fee Example 1

In a taxable matter where trusts aggregated with the estate, the deceased had only the Nil Rate Band and Resident Nil Rate Band to apply as they were divorced. All the values were provided by the clients. The fee for the application for probate was £3,000+VAT and disbursements.

### Fee Example 2

Taxable estate with multiple jurisdiction assets with a query regarding the will and a partial revocation. The fee estimate to obtain probate is £9,000-£12,000+VAT and disbursements. Additional costs relating to other jurisdictions are not included in this fee.

## Complaints procedure

We undertake to look into any complaint carefully and promptly and to do all we can to explain the position to you. If you feel that we have given you a less than satisfactory service, we undertake to do everything reasonable to address your concerns. If you are still not satisfied, you may of course take up matters with our professional body the Institute of Chartered Accountants in England and Wales (ICAEW). Their website address is [www.icaew.com](http://www.icaew.com).

Should the services we provide to you include a legal service and you have a complaint in respect of that specific service, please let us know by contacting our Head of Legal Practice, James Kipping.

We undertake to look into any complaint in respect of a legal service carefully and promptly and we will do all we can to resolve it. We will acknowledge your letter within five business days of its receipt and endeavour to deal with it within eight weeks. If we do not deal with your complaint in this timescale or if you are unhappy with our response, you may of course take up the matter with our professional body, the ICAEW, and the Legal Ombudsman.

### To make a complaint to the Legal Ombudsman you must:

- Refer the complaint to the Legal Ombudsman no later than:
  - One year from the act or omission that forms the basis of your complaint; or
  - One year from when you should reasonably have known there was cause for complaint; and
- Make the referral to the Legal Ombudsman within six months of the date of our final written response to you.



### Contact the Legal Ombudsman

Legal Ombudsman, PO Box 6806, Wolverhampton WV1 9WJ

E: [enquiries@legalombudsman.org.uk](mailto:enquiries@legalombudsman.org.uk)

T: 0300 555 0333.

### Professional Indemnity Insurance

In accordance with the disclosure requirements of the Services Regulations 2009, information about our professional indemnity insurance can be found on our website: [mha.co.uk](http://mha.co.uk)

### ICAEW compensation scheme

In the unlikely event that we cannot meet our liabilities to you, you may be able to seek a grant from ICAEW's Probate Compensation Scheme. Generally, applications for a grant must be made to ICAEW within 12 months of the time you became aware, or reasonably ought to have become aware, of any loss. Further information about the scheme and the circumstances in which grants may be made is available on ICAEW's website: <https://www.icaew.com/regulation/probate-services/probate-consumer-hub/legal-services-compensation-scheme-arrangements>

MHA Trustee and Probate Services is a trading name of MHA Trustees Corporation Limited, a company registered in England under company number 14631377. Its registered office is at The Pinnacle, 150 Midsummer Boulevard, Milton Keynes, MK9 1LZ. MHA Trustees Corporation Limited is licenced by the Institute of Chartered Accountants in England and Wales to carry out the reserved legal activity of non-contentious probate in England and Wales. Its probate accreditation can be viewed at [ICAEW Reserved Legal Services](https://www.icaew.com/regulation/probate-services/probate-consumer-hub/legal-services-compensation-scheme-arrangements) under reference number C011004369.

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