

## Law

### **PROBATE**

Our Team has over 20 years of collective experience in delivering high quality work in all matters relating to Wills and Estate Administration. The Team has particular expertise in high value estates, Inheritance Tax matters and Estates which consist of Agricultural and Business assets.

We have two members of the Team who may work on your matter. Regardless of who works on your matter they will be supervised by Sioned Thomas, Director and Head of Probate and Estate Administration.

#### **Summary of work carried out:**

1. Gathering information from Executors as to assets and liabilities of the deceased including; bank and building society accounts, investments, insurance policies, property deeds and information, outstanding bills and contacting relevant companies to inform them of the death.
2. Preparing a breakdown of assets and liabilities as at the date of death.
3. Completing the Inheritance Tax Form IHT205 if it is an excepted estate where no inheritance tax is payable, or a full inheritance tax return IHT400 if the tax is payable and/or does not qualify as an excepted estate.
4. Preparing the application for a grant of probate/letters of administration.
5. Submitting Inheritance Tax Return to the Inheritance Tax Office and the application for Probate to the Probate Registry.
6. Sending sealed Grant of Probate/Letters of Administration to all companies listed on the assets and liabilities list to arrange closure or transfer of the accounts and assets to the beneficiaries.
7. Arranging for statutory notices to be placed in the London Gazette and a newspaper local to anywhere the deceased held land.
8. Preparation of Estate Accounts for approval by the Executors.
9. Distributing estate funds in accordance with the Will or the rules of intestacy.

#### **Fees:**

We do not charge an uplift fee based on the value of the estate but rather our charges are based on our hourly rates and the time spent on the matter. Hourly rates vary depending on who works on your matter, this is outlined below:

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Director	£200 + VAT
Chartered Institute of Legal Executives	£160 + VAT
Trainee	£100 + VAT

Time taken to deal with estates depends on the complexity of the matter.

## Example 1:

1. There is a valid Will
2. There is one residential property
3. There are two bank or building society accounts
4. There are no intangible assets
5. There are no foreign assets
6. There are 1 – 3 beneficiaries
7. There are no disputes between beneficiaries and division of assets.
8. There is no Inheritance Tax payable and the Executors do not need to submit a full account to HMRC
9. There are no claims made against the Estate

We anticipate it will take between 20-30 hours work at an hourly rate of £200 plus VAT (for work carried out by a Director) or £160 plus VAT (for work carried out by a member of the Chartered Institute of Legal Executives- CILEx) and the total estimated costs would be £4,000-£6,000 + VAT (for work undertaken by a Director) and £3,200 - £4,800 +VAT (for work undertaken by a CILEx member).

We estimate that it would take between 5-7 months to deal with this type of estate. This timeframe varies for each case and the complexity of the matter.

## Example 2:

1. There is a valid Will
2. There is one residential property
3. There are no more than five bank or building society accounts
4. There are no intangible assets
5. There are no foreign assets
6. There are no more than 6 beneficiaries
7. There are no disputes between beneficiaries and division of assets.
8. A full IHT400 inheritance tax form needs to be completed
9. There are no claims made against the Estate

We anticipate this will take between 30-40 hours work at an hourly rate of £200 plus VAT (for work carried out by a Director) or £160 plus VAT (for work carried out by a member of the Chartered

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Institute of Legal Executives - CILEx) and the total estimated costs would be £6,000-£8,000 + VAT (for work undertaken by a Director) and £4,800 - £6,400 + VAT (for work undertaken by a CILEx member).

We estimate that it would take between 9-12 months to deal with this type of estate. This timeframe varies for each case and the complexity of the matter.

### Potential additional costs:

- Multiple properties
- No valid will
- Foreign assets
- More than 6 beneficiaries
- Negotiation with HMRC on any inheritance tax issues and inheritance tax liability
- Trusts in existence at the date of death or created by will
- Dealing with income tax/capital gains tax matters
- Contested matters
- Queries by beneficiaries or disputes regarding a will
- Deeds of Variation

Disbursements (plus applicable VAT) will also be payable in addition to our fees plus VAT. These are costs related to your matter that are payable to third parties, such as Court fees, and will include;

- Probate application fee of £155.00 plus 50p for each sealed copy of the Probate
- Bankruptcy only Land Charges department searches £2.00 per beneficiary
- £200-£250 for statutory notices placed in the London Gazette and a local newspaper, to protect against unexpected claims from unknown creditors for which the executors could be personally liable. This fee varies depending on the local newspaper in which the notice is inserted (the paper should be local to the area in which the deceased owned land).

### Potential additional costs:

- If any additional copies of the Grant are required, they will cost £1.50 + VAT per copy (one copy Grant per asset is recommended).
- Dealing with the sale or transfer of any property in the Estate is not included.

### Details of work and experience:

#### Sioned Thomas – Director

Sioned is head of our Team and has over 16 years' experience in private client work, specialising in Wills and Probate. Sioned has been working in this area since she qualified and has helped thousands of clients. She spends 80% of her time on private client matters and mostly deals with complex high value estates.

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Sioned qualified as a solicitor in 2003 and worked at different firms before joining RDP in 2008. She became a Partner in 2012 and a Director of the firm in 2015.

Sioned is a STEP qualified solicitor. She is also a fluent Welsh speaker.

### Katie Kenealy – Graduate of the Chartered Institute of Legal Executives

Katie has over 8 years' experience in private client work, specialising in estate planning and probate. She spends around 70% her time acting in relation to probate administrations. She has particular expertise in administering intestacies and complex estates.

Katie is a Graduate of the Chartered Institute of Legal Executives and, prior to joining RDP, worked at a large law firm in Cardiff for 10 years. Katie is a STEP Affiliate and junior member of Solicitors for the Elderly.

## **RESIDENTIAL CONVEYANCING**

Our Team has over 50 years of collective experience in delivering high quality work in all matters relating to residential conveyancing.

There are five members of the Team who may work on your matter. Regardless of who works on your matter they will be supervised by James Davies head of RDP's Real Estate team.

### **Sale of a residential property**

#### **Summary of work carried out:**

The work will, typically, consist of the following:

1. Obtaining your deeds;
2. Preparing, with you, disclosure concerning your property;
3. Preparing and negotiating a sale contract and a land transfer;
4. Dealing with queries raised by the purchaser;
5. Dealing with the redemption of any mortgage or borrowing that might be charged against your property;
6. Exchanging on your sale;
7. Thereafter dealing with the physical transfer of your property to the buyer.

#### **Fees:**

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We estimate fees based on the value of the property, as below:

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<u>Property Value</u>	<u>Fee</u>
Up to £200,000	£750 +VAT
£200,001 - £250,000	£850 +VAT
£250,001 - £300,000	£950 +VAT
£300,001 - £350,000	£1100 +VAT
£350,001 - £400,000	£1300 +VAT
£400,001 - £450,000	£1500 +VAT
£450,001 and over	**

\*\*For real estate transactions over £450,001 a tailored conveyancing package is prepared by a senior member of the team. Please call for a consultation.

Leasehold properties will incur an additional £200 +VAT fee.

Our fees are calculated on the basis that:

- (a) The property is held under a single freehold\* title at the Land Registry with no title defects;
- (b) One contract is submitted to one purchaser;
- (c) The purchase is via an unconditional contract and the property is sold with vacant possession; and
- (d) Completion takes place on the date agreed in the contract.

\*If it is a leasehold property, we charge an extra £200 + VAT on top of the standard fee.

If the sale becomes more complicated than we initially thought, or if unforeseen problems arise, we may have to increase our fees. If that does transpire, we shall inform you BEFORE we incur any additional costs and will AGREE THESE with you, in advance.

Our fees are not conditional on completion occurring and will be payable should the transaction abort, for any reason. In such circumstances you will be charged for work done to date, but ALWAYS within the remit of the originally estimated fee or else any increased fee agreed with you thereafter.

### **Disbursements / Third party payments:**

In addition to fees, “disbursements” will be incurred + applicable VAT. These are costs related to your matter that are payable to third parties.

Typically, on a sale the sole third party charge will be for Official Copies. These are the documents that evidence your title. The Land Registry charges £3 per office copy document (VAT will be added to this). Every title will have an official copy and a title plan, meaning a charge of £6 (VAT will be added to this).

Many titles then have other titles documents referred to within them and these will cost £3 per document to obtain (VAT will be added to this).

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Further charges can arise where there is a defect in title, which may require insurance. For example, where a title document cannot be found, and the buyer requires insurance against anything adverse arising from it. We will let you know if such charges arise, as the sale process evolves.

We will let you have a breakdown of those disbursements and third-party charges that we can predict as part of your original estimate and BEFORE work commences on your matter.

### **Timescales:**

It is anticipated that work on this matter is likely to take 6 – 8 weeks to complete, in a “problem free” transaction with no complicated “conveyancing chain”. However, please note that this is an estimate only. You will be notified if any unforeseen circumstances arise which affect the estimated timescale.

### **Purchase of a residential property**

The work will consist of the following:

1. Investigating title to the property. This typically involves three areas of investigation:
  - a. carry out searches against the property (for example, a local search, an environmental search or a water and drainage search. These searches give details about the property and help us to analyse any risk that might need to be drawn to your or your lender’s attention);
  - b. carrying out a comprehensive review of the title to the property to check that it is satisfactory and not defective; and
  - c. reviewing and analysing the disclosure of the seller.
2. The negotiation a purchase contract and a land transfer;
3. Providing you with advice on any borrowing that you are obtaining to fund your purchase and dealing with your lender in respect of this;
4. Preparing for you a formal report on title. This gives you a complete legal overview on what you are purchasing and is a document that should be retained for future use / reference;
5. Dealing with exchange of contracts for the acquisition of your property and the subsequent land transfer; and

6. Dealing, post completion of your purchase with the payment of any stamp duty or land transaction tax that might be payable and the registration of the title to your property at The Land Registry.

#### **Fees:**

We estimate fees based on the value of the property, as below:

<u>Property Value</u>	<u>Fee</u>
Up to £250,000	£950 +VAT
£250,001 - £300,000	£1050 +VAT
£300,001 - £350,000	£1250 +VAT
£350,001 - £400,000	£1450 +VAT
£400,001 - £450,000	£1650 +VAT
£450,001 and over	**

\*\*For real estate transactions over £450,001 a tailored conveyancing package is prepared by a senior member of the team. Please call for a consultation.

Leasehold properties will incur an additional £200 +VAT fee.

Our fee is calculated on the basis that:

- (a) The property is held under a single freehold\* title at the Land Registry with no title defects;
- (b) One contract is submitted to one purchaser;
- (c) The purchase is via an unconditional contract and the property is acquired with vacant possession;
- (d) Completion takes place on the date agreed in the contract;

\*If it is a leasehold property, we charge an extra £200 + VAT on top of the standard fee.

If the purchase becomes more complicated than we assume, initially, or if unforeseen problems arise, we may have to increase our fees. If that does transpire, we shall inform you BEFORE we incur any additional costs and will AGREE THESE with you, in advance.

Our fees are not conditional on completion occurring and will be payable should the transaction abort, for any reason. In such circumstances you will be charged for work done to date, but ALWAYS within the remit of the originally estimated fee or else any increased fee agreed with you thereafter.

#### **Disbursements / Third party payments:**

In addition to fees, “disbursements” will be incurred. These are costs related to your matter that are payable to third parties.

More fees are payable to third parties on the acquisition of real estate than on the sale of real estate. For example:

Searches are usually carried out against the property. A normal suite of searches for a residential dwelling, costs around £300 (VAT will be added to this). That figure can increase depending on what searches are obtained and the fee earner dealing with your case will discuss this with you to provide you with a tailored quote.

Purchasers of residential property can also be required to pay stamp duty on purchase (in England) or land transaction tax (in Wales). We will provide you with a calculation of this tax, when providing you with an estimate but, below, are links to online calculators, which will enable you to check this for yourself:

Land Transaction Tax Calculator (for properties in Wales) - <https://beta.gov.wales/land-transaction-tax-calculator>

Stamp Duty Land Tax Calculator (for properties in England) - <https://www.tax.service.gov.uk/calculate-stamp-duty-land-tax/#/intro>

Land Registry Registration Fee Calculator - <https://landregistry.data.gov.uk/fees-calculator.html>.

Costs are also incurred in registering the title to the property and, again, we will cost this for you when tailoring your estimate.

### **Timescales:**

It is anticipated that work on this matter is likely to take 6 – 8 weeks to complete in a “problem free” transaction without a complicated “conveyancing chain”. However, please note that this is an estimate only. You will be notified if any unforeseen circumstances arise which affect the estimated timescale.

### **Re-mortgage of a residential property**

The work will consist of the following:

1. Obtaining your deeds;
2. Investigating title to the property. This typically involves two areas of investigation:
  - a. carrying out a comprehensive review of the title to the property to check that it is satisfactory and not defective;
  - b. carrying out searches against the property or obtaining a ‘No Search’ Insurance Policy, depending upon your lenders requirements;
3. Dealing with the redemption of any mortgage or borrowing that is currently charged against your property;
4. Requesting the mortgage advance from your lender; and
5. Thereafter dealing with the post completion elements which will include the registration of the charge at The Land Registry.

<u>Property Value</u>	<u>Fee</u>
Up to £500,000.00	£650.00 + VAT
Over £500,001.00	£950.00 + VAT

Our fees are calculated on the basis that the property is held under a single freehold title at the Land Registry with no title defects.

If the re-mortgage becomes more complicated than we initially thought, or if unforeseen problems arise, we may have to increase our fees. If that does transpire, we shall inform you BEFORE we incur any additional costs and will AGREE THESE with you, in advance.

Our fees are not conditional on the re-mortgage completing and will be payable should the transaction abort, for any reason. In such circumstances you will be charged for work done to date, but ALWAYS within the remit of the originally estimated fee or else any increased fee agreed with you thereafter.

**Disbursements / Third party payments:**

In addition to fees, “disbursements” will be incurred. These are costs related to your matter that are payable to third parties.

Official Copies will be required. These are the documents that evidence your title. The Land Registry charges £3 per office copy document (VAT will be added to this). Every title will have an official copy and a title plan, meaning a charge of £6 (VAT will be added to this). Many titles then have other titles documents referred to within them and these will cost £3 per document to obtain (VAT will be added to this).

Further charges can arise where there is a defect in title, which may require insurance. For example, where a title document cannot be found, and the lender requires insurance against anything adverse arising from it. We will let you know if such charges arise.

We will let you have a breakdown of those disbursements and third-party charges that we can predict as part of your original estimate and BEFORE work commences on your matter.

If your lender requires searches, they normally cost around £300 (VAT will be added to this). This figure can increase depending on what searches are obtained and the fee earner dealing with your case will discuss this with you to provide you with a tailored quote.

If your lender will accept a ‘No Search’ Insurance Policy the cost will depend upon the value of the property and the fee earner dealing with your case will discuss this with you to provide you with a tailored quote. This is usually cheaper than obtaining searches.

**Timescales:**

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It is anticipated that work on this matter is likely to take 4 weeks to complete, in a “problem free” transaction. However, please note that this is an estimate only. You will be notified if any unforeseen circumstances arise which affect the estimated timescale.

#### **Details of work and experience:**

##### James Davies – Director and Solicitor

James is head of RDP’s Real Estate team with over 14 years post qualification experience. James’s work is now almost completely based in commercial real estate, but he works with members of the residential conveyancing team in an advisory and supervisory role. James typically works on no more than a handful of residential conveyancing matters in a given year and these will almost always be very high value / complex matters or else will contain commercial elements.

##### Samantha Collins – Associate

Samantha is a Senior Associate in RDP’s Real Estate Team. She has over 10 years of experience in advising public, private and third sector clients in all aspects of commercial property work. Samantha’s work is predominantly in commercial real estate however she does work with members of the residential conveyancing team time to time in an advisory and supervisory role.

##### Natasha Bunclark – Solicitor

Natasha joined RDP’s Real Estate and Residential team in August 2018 having worked in property law for 5 years. Natasha undertook her training contract with a Newport firm and qualified as a Solicitor in September 2018. She has dealt with hundreds of high-end conveyancing cases including sales, purchases, transfers and re-mortgages of residential properties. Around 75% of Natasha’s time is spent on residential conveyancing.

She currently acts for individuals and companies in a range of matters and her expertise include:

- Residential and commercial conveyancing
- Re-mortgaging
- Transfer of equity
- General land law

Georgia Diaz – Solicitor

Georgia qualified as a solicitor in 2018 and joined RDP in 2021. She is a Real Estate Lawyer who deals with both commercial real estate and high-end residential acquisitions and disposals. Around 75% of Georgia's time is spent on residential conveyancing.

Her specialisms are:

- Residential and commercial acquisitions and disposals
- General land law
- Refinances
- Newly built and newly converted properties

#### Amy Toomer –Chartered Legal Executive

Amy is a Fellow of the Chartered Institute of Legal Executives, having qualified in 2016. Amy is a member of RDP's Real Estate Team. Prior to joining RDP, Amy worked for a firm in the Forest of Dean for 12 years where she studied part time to achieve her CILEx qualification.

She currently acts for individuals and companies in a range of matters including:

- Residential sales and acquisitions
- Re-mortgages
- Transfer of equity
- Registration of unregistered land
- General land law

#### Rachel Brown - Associate Member Legal Executive

Rachel is an Associate Member Legal Executive with 11 years' experience and is a member of RDP's Real Estate team. Prior to joining RDP in 2013, Rachel worked for a firm in Newport for 5 years. 75% of Rachel's time is spent within the RDP plot sales team where she leads on handling the sales of individual plots on new build develop sites and also within the general commercial real estate team.

25% of her time is spent on residential conveyancing, made up of:

- Residential sales and acquisitions; and
- Re-mortgages;

### **COMMERCIAL DEBT RECOVERY**

RDP Law's Dispute Resolution team is different to others. The team are experts at not just battling conflicts for clients but also at settling them, across a wide spectrum covering all aspects of commercial litigation, debt recovery, professional negligence, property litigation, contentious probate, contentious intellectual property disputes, data protection and GDPR litigious matters.

The team are best known for their clever, pragmatic approach to problem-solving and using alternative dispute resolution methods or where necessary, Court action to achieve the desired outcome. Regardless of who works on your matter they will be supervised by James Davies, a Director of over 15 years post qualification experience.

#### **Fees**

Price transparency is at the heart of the services we offer within the dispute resolution department. For all uncontested debt recovery claims up to a value of £100,000.00, we will provide you at the outset a detailed summary of potential costs per stage of the process.

Our prices vary depending on the claim value, complexity of issues and prospects of recoverability and are based on the hourly rates of the fee earner working on your matter. All the work we undertake on your behalf will be charged in accordance with our hourly rates.

Our current hourly rates are:

Rhys Evans (Solicitor)	£200.00 per hour plus VAT
Clare O'Sullivan (Solicitor)	£200.00 per hour plus VAT
Robert Davies (Director/Solicitor)	£200.00 per hour plus VAT
James Davies (Director/Solicitor)	£200.00 per hour plus VAT
Paralegal/Trainee solicitor	£100.00 per hour plus VAT

The firm's hourly rates are reviewed in May and November of each year.

Regardless of who works on your claim, a typical non-contested debt recovery matter will comprise of three separate and distinct stages. We provide an estimate of cost per stage, set out below.

#### **Stage 1 – The Pre-Action Stage**

During this stage, a claimant will be required to evidence its claim by corresponding with the defendant. We would also advise you on the contractual position of any undisputed debt and calculate any interest payable.

Typically, for a non-contested claim, we would recommend sending three letters. The first will be a letter before action. This is a detailed and robust letter, setting out the contractual matrix, the sums owed, and confirming how payment should be made. The second will be a follow up chaser letter. The third and final letter will give a final warning, confirm our intention to issue proceedings unless payment is made within 14 days.

It is difficult to estimate a definite timescale to debt recovery matters, but due to the protocol requirements, such action will be taken in compliance with said rules. This means, no action can be taken by a creditor for at least 30 days from the date of the letter before action to the debtor, and a reasonable time is provided thereafter for the debtor to seek legal advice on its position.

We will endeavour to assess and review documents fully and in detail upon receipt of all contractual documents relevant to the claim and to do so within 14 working days of receipt of such documents and acceptance of the firm's terms and conditions of engagement.

For a non-complex matter with no unforeseen circumstances, it is likely that Stage 1 will be concluded within 3 months.

For a typical non-defended claim, our fees are estimated to be in the region of:

<b>Stage 1</b>			
<b>Claim Value</b>	<b>Estimated Fees (Net of VAT)</b>	<b>VAT thereon</b>	<b>TOTAL FOR STAGE</b>
Between £0      £10,000	£1,250.00	£250.00	£1,500.00
Between £10,001    £25,000	£1,750.00	£350.00	£2,100.00
Between £25,001    £50,000	£2,500.00	£500.00	£3,000.00
Between £50,001    £100,000	£3,500.00	£700.00	£4,200.00

\* For claims valued in excess of £100,001 please contact our office for a fee estimate

The above-mentioned fee estimate is provided based on the following assumption:

1. That we are only instructed to send three letters i.e. a letter before action, a chaser letter, and a further letter warning of our intention to issue proceedings at court.
2. That it is a straightforward contractual claim, with no complex issues to resolve.
3. That the defendant has no defence to the claim.
4. That the defendant does not enter into complicated or lengthy correspondence.

### Stage 2 – Court Proceedings – Obtaining Judgment in default on your behalf

If the correspondence mentioned in Stage 1 does not produce the desired result, the next stage is for us to advise a claimant on whether it is cost effective to issue proceedings at court. This could involve instructing a private investigator to prepare a \*pre-sue means assessment report and for us to advise on the prospects of success in proceeding with the claim.

If we consider that a claim is cost effective to pursue, we may advise a claimant to issue proceedings at court. This involves drafting a claim form and particulars of claim and paying a court fee at court.

We estimate the time to complete this stage will be around 10 weeks.

\* On average a typical pre-sue means assessment report will cost in the region of £350.00 + VAT

For a typical non-defended claim, our fees are estimated to be in the region of:

<b>Stage 2</b>			
<b>Claim Value</b>	<b>Estimated Fees (Net of VAT)</b>	<b>VAT thereon</b>	<b>TOTAL FOR STAGE</b>
Between £0      £10,000	£2,500.00	£500.00	£3,000.00
Between £10,001   £25,000	£3,000.00	£600.00	£3,600.00
Between £25,001   £50,000	£3,500.00	£700.00	£4,200.00
Between £50,001   £100,000	£4,000.00	£800.00	£4,800.00

\* For claims valued in excess of £100,001 please contact our office for a fee estimate

The above-mentioned fee estimate is provided based on the following assumption:

1. That we consider that the claim has prospects of success in excess of 51%.
2. That the defendant has not defended the claim during the Stage 1 correspondence stage.
3. That it is a straightforward contractual claim, with no complex issues to resolve.
4. That the defendant does not defend the claim.

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5. That we obtain judgment in default.
  6. That we are not required to attend any court hearing.
  7. That no applications to court are required other than for default judgment.

### Stage 3 – Enforcement

Once we obtain judgment in default, the next stage is to enforce that judgment through the court process. As each case is different and with enforcement options being variable, we cannot give an exact time frame or fee estimate for this aspect of the work, which will be case specific.

We aim to begin Stage 3 as soon as possible and as soon as we receive instructions from you that we can proceed with entering judgment and pursuing enforcement action.

However, to give you an indication of potential costs, please refer to the following:

Potential Option	Estimated Fee (exclusive of VAT)
Order for Questioning	£750 to £1,000
Attachment of Earnings	£500 to £800
Third Party Debt Order	£500 to £800
Uncontested Charging Order	£1,200 to £2,000
Warrant / Writ of Control	£350 to £750
Statutory Demand	£350 to £750
Bankruptcy Petition	£750 to £1,500
Winding Up Petition	£1,250 to £1,500

### Contested Disputes

The vast majority of claims are defended by a defendant. For debt recovery claims, this could be on the basis of a contractual dispute. The defendant may also bring a counter claim against a claimant. If this happens, and on the assumption that our fees may exceed those stated above, we can advise on the potential cost implications and estimate of costs, tailored to your specific requirements.

Please note, that if your claim is defended, you will continue to be charged on the basis of our current hourly rates (exclusive of VAT, disbursements and expenses).

We do not provide a fixed fee for each stage of the process. Any fee estimates provided above an indication of our potential fees only. Similarly, we do not typically provide conditional fee

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agreements, or damages-based agreements, but we can discuss potential funding options with you, on a case by case basis.

With claims issued at court, if the proceedings become protracted, for a typical claim, you may be required to budget more than £80,000.00 plus VAT and counsel fees for progressing a case through to a final trial. Enforcement costs could be in addition to that amount.

There may be some disbursements and fees to third parties for example search fees, court fees, process server fees, expert and agent's fees to attend court that will need to be taken into account not quoted below. Again, we will provide you with an estimate of the disbursements that you are likely to incur.

There is a principle in litigation where the losing party pays the winning parties' costs. If successful in the litigation, you would expect a court to award you costs in addition to any judgment sum. Typically, you would expect to recover between 60% to 70% of the costs you incur. However, although you may obtain a costs order against the defendant, you could still be left with the difficult task of recovering your costs from them.

For this reason, we will always seek to provide you with the best possible cost estimates at an early stage of a dispute, so that you can make an assessment on whether the claim is genuinely cost effective to progress, or whether it may be more cost effective to settle.

### **Disbursements**

A court fee is payable to the court on issuing a claim.

To issue a claim for money, the fees are based on the amount claimed, including interest, as set out in the following table:

Value of your claim				Fee payable	
				Court issued claim	Filed via SDT/MCOL*
Up to	£300			£35	£25
Greater than	£300	but no more than	£500	£50	£35
Greater than	£500	but no more than	£1,000	£70	£60
Greater than	£1,000	but no more than	£1,500	£80	£70
Greater than	£1,500	but no more than	£3,000	£115	£105
Greater than	£3,000	but no more than	£5,000	£205	£185
Greater than	£5,000	but no more than	£10,000	£455	£410
Greater than	£10,000	but no more than	£200,000	5% of the value of the claim	4.5% of the value of the claim
Greater than	£200,000			£10,000	N/a

\* Maximum amount for Secure Data Transfer (SDT) or Money Claim OnLine (MCOL) £99,999.99

Secure Data Transfer is a secure system to enable customers issuing in bulk to upload and transfer data files directly from their systems to HM Courts & Tribunals Service systems.

We have set out some of the potential costs which may be payable to third parties in relation to your claim below. The disbursements which are applicable to you will depend upon the individual circumstances of your case.

Disbursement	Cost	VAT?
Tracing Agent Fees	From £75	Yes there is VAT to be added
Process Server Fees	From £90	Yes there is VAT to be added
High Court Enforcement Officer Abortive Fee	£90	Yes there is VAT to be added
Official Receiver's fee	Please refer to HMCTS website	Yes there is VAT to be added
Barrister Fees for initial advice	From £800 to £3,000 (dependent on nature and complexity of instruction)	Yes
Land Registry Office Copy Search Fee	£3 per document	Yes
Affidavit Fee	£5 plus £2 per exhibit	Yes

#### Details of work and experience:

Wentwood House | Langstone Business Village | Newport | South Wales | NP18 2HJ

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Law Rhys is a senior associate within RDP's litigation department, with over 7 years post qualification experience. An expert at all things litigious, Rhys Evans has extensive experience in providing bespoke and technical advice over a broad range of complex and high value disputes whilst understanding client needs and the commercial context in which they operate.

Specifically, Rhys acts for a varied and nationwide client base such as accountants, healthcare professionals, private hospitals, dentistry practices, property developers, landowners, investors, occupiers, private individuals, agricultural clients and national retailers on all aspects of commercial and property litigation. Around 10% of his time is spent on debt recovery.

Rhys' recent litigation work has covered:

- Acting for public sector and corporate clients in relation to multi-million-pound commercial disputes involving multiple parties, and including contractual disputes, professional negligence, negligence, nuisance and other tortious liability claims involving property.
- Advising land owners on an entire array of disputes resulting from their agricultural portfolios.
- Advising in relation to a full spectrum of commercial landlord and tenant issues.

#### Clare O'Sullivan – Senior Associate

Clare is a senior associate within RDP's litigation department, with over 8 years post qualification experience. Prior to joining private practice, she was an associate at the FSA's (now the FCA's) Enforcement Division. She has extensive in providing bespoke and technical advice over a broad range of complex and high value disputes, including commercial, banking and financial services. Around 10% of her time is spent on debt recovery.

Clare's recent litigation work involves:

- Advising corporate clients in relation to multi-million-pound commercial disputes involving multiple parties, and including contractual disputes, professional negligence, negligence, nuisance and other tortious liability claims;
- Acting for private individuals and trustees to recover losses sustained either through the Courts, the Financial Ombudsman Service and the Financial Services Compensation Scheme in relation to pension disputes, banking disputes, mismanagement of investments and other investments.
- Acting for an FCA regulated firm in relation to the investigation undertaken by the FCA's Enforcement Division.

## Law Robert Davies - Director

Chairman, Robert Davies MBE, with over 44 years of experience, is highly regarded within the South Wales property and legal sector. He has a particular expertise in advising with regards to the more contentious commercial and residential property developments and is regularly instructed in relation to some of South Wales' larger and more exciting development proposals. His reputation and astute, pragmatic approach to dispute resolution often achieves outcomes on matters which are commercial and practical in nature. A true rainmaker, Robert's influence in the South Wales market knows no bounds.

## James Davies - Director

Regardless of who works on your matter they will be supervised by James Davies, a Director of over 15 years post qualification experience.