



HUMMINGBIRD LAWYERS LLP
ESTATE TRUSTEE FEE SCHEDULE 2024

Hummingbird Lawyers is pleased to provide estate trustee services to our clients. As the Executor, sometimes referred to as the Estate Trustee, we will carry out your Last Will and Testament with the utmost of care while fulfilling all fiduciary duties. We will collect all your assets, pay off all your debts, file all required tax returns, pay or transfer gifts to your named beneficiaries, and will handle all other estate responsibilities.

Calculation of Compensation - Estate Trustees are entitled to fair and reasonable compensation. As your Executor, our fees are calculated by the higher of either (1) our hourly rates for all time spent on the matter with a minimum fee of \$10,000 or (2) by the below tiered structure based on the Tarriff C guidelines as amended and used by the courts.

- 2.5% of capital receipts and disbursements on the first \$2,500,000.00
- 2.5% of income receipts and disbursements on the first \$2,500,000.00
- 2.25% of capital receipts and disbursements on next \$2,500,001 – \$4,000,000
- 2.25% of capital receipts and disbursements on next \$2,500,001 – \$4,000,000
- 1.25% on over \$4,000,001

Estate Management Fees- Estate Trustees will also be entitled to receive 0.4% per annum (often expressed as 2/5 of 1%) of the average value of the gross assets actively managed but not distributed, for 'care and maintenance'.

Estate Trustee performing Solicitor Work - When your Estate Trustee is a solicitor, they may wear two hats at once: as the Executor and as a Lawyer. If there is legal work required, you agree that we are allowed to charge the estate all usual professional fees or other charges for business transacted, time expended and acts done by the firm, in connection with the administration of your estate, including acts which an Estate Trustee not being in any profession or business could have done personally based on the solicitor's hourly rate at the time of service. Example, the legal fee for the work of applying for a Certificate of Appointment (so that we have the legal authority to act as the Executor) will be charged as an additional fee.

Trust Administration (for separate Trusts that need to be set up per the Will): Fees are based on market value of assets.

- minimum fee \$3,500
- 0.75% of asset market value
- 0.75% capital distribution fee
- one time account set-up fee of \$2,500



Disbursements to Estate - There are fees the firm incurs directly and indirectly, which will be invoiced to your estate associate with any legal work.

- On all files we charge a file service fee of \$210 to cover costs related to opening your matter, ongoing maintenance, cyber security, and file storage.
- On all Estate files there is a \$228 software fee allowing us to use court issued forms and accounting efficiently.
- On all Estate files, there is a \$250 bank account set fee up which will also include the internal accounting costs.
- We also charge for all fees and expenses incurred on your/the estate's behalf, including fees paid to others. Examples of disbursements include but are not limited to online research charges, voluminous photocopies, binding, courier charges, process server fees, court fees, Law Society transaction levies, government filing fees, and expert witness fees.

If you would like to appoint Hummingbird Lawyers LLP as your Executor, please contact us to receive our Agreement and clause requirements that must be in your Last Will and Testament.