

Form P5 (Rule 25-3 (2))

This is the undefinedth affidavit of Mary Jane Smith in this case and was made on 01/FEB/2024

[Style of Proceeding]

AFFIDAVIT OF APPLICANT FOR GRANT OF ADMINISTRATION WITHOUT WILL ANNEXED

[Rule 22-3 of the Supreme Court Civil Rules applies to all forms.]

I, Mary Jane Smith, of 567 Broadway, Vancouver, British Columbia, Canada, V5N 1B1,
occupation, SWEAR (OR AFFIRM) THAT:

1 I am the applicant/one of the applicants referred to in the submission for estate grant in relation to the estate of JOHN ROBERT SMITH (the "deceased") and am applying for a grant of administration without will annexed.

2 *[Check one of the immediately following 6 boxes and provide the required information.]*

- ☐ I am a person referred to in paragraph _____ [select (a), (b), (d), (e), (f) or (g)] of section 130 of the Wills, Estates and Succession Act.
- ☐ I am a person nominated under paragraph _____ [select (a), (c) or (e.1)] of section 130 of the Wills, Estates and Succession Act.
- ☒ My relationship to the deceased is spouse
- ☐ [name of organization] is a person referred to in paragraph (g) of section 130 of the Wills, Estates and Succession Act. I am the [organizational title] of [name of organization] and I am authorized by [name of organization] to swear this affidavit on [name of organization]'s behalf as applicant.
- ☐ [name of organization] is a person nominated under paragraph _____ [select (a), (c) or (e.1)] of section 130 of the Wills, Estates and Succession Act. I am the [organizational title] of [name of organization] and I am authorized by [name of organization] to swear this affidavit on [name of organization]'s behalf as applicant.
- ☐ [name of organization]'s relationship to the deceased is _____. I am the [organizational title] of [name of organization] and I am authorized by [name of organization] to swear this affidavit on the [name of organization]'s behalf as applicant.

3 *[Check whichever one of the immediately following 2 boxes is correct.]*

- ☒ I am not obliged under Rule 25-3 (11) to deliver a filed copy of this submission for estate grant to the Public Guardian and Trustee.
- ☐ I am obliged under Rule 25-3 (11) to deliver a filed copy of this submission for estate grant to the Public Guardian and Trustee.

4 I am satisfied that a diligent search for a testamentary document of the deceased has been made in each place that could reasonably be considered to be a place where a testamentary document may be found, including, without limitation, in all places, both physical and electronic, where the deceased usually kept the deceased's important documents and

[Check whichever one of the immediately following 2 boxes is correct and provide any required information.]

- ☐ no testamentary document of the deceased has been found.
- ☒ one or more testamentary documents have been found. A copy of the testamentary document(s) is attached as an exhibit to the affidavit. I believe that the testamentary document(s) is/are invalid or otherwise not relevant to this application for the following reasons: _____

5 I believe that there is no will of the deceased.

6 [Check whichever one of the immediately following 3 boxes is correct and provide any required information.]

☒ I am not aware of there being any application for a grant of probate or administration, or any grant of probate or administration, or equivalent, having been issued, in relation to the deceased, in British Columbia or in any other jurisdiction.

☐ The following grant(s) of probate or administration, or equivalent, has/have been issued in relation to the deceased in British Columbia or in another jurisdiction:

_____. I believe that that grant is/those grants are not relevant to this application for the following reasons: _____

☐ The following person(s) has/have also applied for a grant of probate or administration:

7 I have read the submission for estate grant and the other documents referred to in that document and I believe that the information contained in that submission for estate grant and those documents is correct and complete.

8 I will administer according to law all of the deceased's estate, I will prepare an accounting as to how the estate was administered and I acknowledge that, in doing this, I will be subject to the legal responsibility of a personal representative.

SWORN (OR AFFIRMED) BEFORE

)

ME at _____, British Columbia

)

on 01/FEB/2024 .

)

A commissioner for taking
affidavits for British Columbia

[print name or affix stamp of commissioner]