

**Form P1 (Rule 25-2 (3))**

**NOTICE OF PROPOSED APPLICATION IN RELATION TO ESTATE**

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

**TAKE NOTICE THAT:**

The applicant(s) Mary Jane Smith propose(s) to apply, in the Vancouver court registry, for a grant of probate in relation to the estate of the deceased described below who died on 15/JAN/2024.

Full legal name of deceased: JOHN ROBERT SMITH

[first name] [middle name(s)] [last name/family name]

Last residential address of the deceased: [Include street number or post office box, city/town, province, country and postal code.]

1234 Main Street, Vancouver, British Columbia, Canada, V6A 1A1

*[Check whichever one of the immediately following 4 boxes is correct.]*

- This application does not relate to a will or a foreign grant.
- This application relates to the physical will of the deceased dated  
10/MAR/2019, a copy of which will is provided with this notice.

*[An electronic will is a will that has been signed, and is being stored, electronically.]*

- This application relates to the electronic will of the deceased dated  
10/MAR/2019, a copy of which will is provided with this notice. You are entitled to the will or access on demand to the will in its original electronic form, using Form P46.
- This application is to reseal a foreign grant or for an ancillary grant and a copy of the foreign grant is provided with this notice. If the foreign grant relates to the will of the deceased, and that will does not form part of the foreign grant, a copy of the will is provided with this notice. In addition, if the grant relates to the electronic will of the deceased, you are entitled to the will or access on demand to the will in its original electronic form, using Form P46.

\* [Select

"grant of probate" if there is a will and the applicant is named as executor or alternate executor in the will

"grant of administration with will annexed" if there is a will and the applicant is not named as executor or alternate executor in the will

"grant of administration without will annexed" if there is no will

"ancillary grant of probate" if a grant of probate or equivalent grant was obtained in relation to the deceased in a jurisdiction other than a jurisdiction prescribed for the purposes of section 138 of the Wills, Estates and Succession Act

"ancillary grant of administration with will annexed" if a grant of administration with will annexed or equivalent grant was obtained in relation to the deceased in a jurisdiction other than a jurisdiction prescribed for the purposes of section 138 of the Wills, Estates and Succession Act

"ancillary grant of administration without will annexed" if a grant of administration without will annexed or equivalent grant was obtained in relation to the deceased in a jurisdiction other than a jurisdiction prescribed for the purposes of section 138 of the Wills, Estates and Succession Act

"the resealing of a foreign grant" if a grant of probate or equivalent, or a grant of administration or equivalent, was obtained in relation to the estate of the deceased in a jurisdiction prescribed for the purposes of section 138 of the Wills, Estates and Succession Act.]

**AND TAKE NOTICE THAT:**

(1) Before obtaining the foregoing grant or resealing, the applicant may be granted an authorization to obtain estate information or an authorization to obtain resealing information, as the case may be, in relation to that grant or resealing for the purposes of obtaining financial information in relation to the grant or resealing.

(2) You have a right to oppose, by filing a notice of dispute in accordance with Rule 25-10 (1),

- (a) if the intended application is for an estate grant, the granting of either or both of an authorization to obtain estate information and the estate grant, or
  - (b) if the intended application is for a resealing, the granting of either or both of an authorization to obtain resealing information and the resealing.
- (3) You may or may not be entitled to claim against the estate for relief, including a claim under
- (a) the Family Law Act, or
  - (b) Division 6 of Part 4 of the Wills, Estates and Succession Act.
- (4) If you choose to take a step referred to in paragraph (2) or (3), you must do so within the time limited by any relevant rule of court or other enactment.
- (5) You may consult with your own lawyer concerning your interest in, or rights against, the estate.
- (6) After the applicant has filed a submission for estate grant or submission for resealing, you may apply for an order requiring the applicant to provide security unless the applicant is the Public Guardian and Trustee. Filing a notice of dispute will prevent a grant from being issued before you are able to apply for the order requiring security.
- (7) An authorization to obtain estate information, an authorization to obtain resealing information or a grant may issue to the applicant, or a foreign grant may be resealed, on any date that is at least 21 days after the date on which this notice is delivered to you or on any earlier date ordered by the court.
- (8) If an authorization to obtain estate information issues to the applicant, the applicant may apply for a grant without further notice. If an authorization to obtain resealing information issues to the applicant, the applicant may apply for the resealing of the foreign grant without further notice to you.
- (9) If a grant issues to the applicant, the applicant must provide, if there is a will, to the beneficiaries or, if there is no will, to intestate successors of the deceased, an accounting as to how the estate was administered and how the estate assets were distributed, and if a foreign grant is resealed as a result of the application, the intended applicant must provide, if there is a will, to the beneficiaries or, if there is no will, to intestate successors of the deceased, an accounting as to how the estate comprising the assets to which the resealed grant applies was administered and how those assets were distributed.

*[If this notice of proposed application is required to be delivered to the Public Guardian and Trustee under Rule 25-2, ensure all additional information required under Rule 25-2 (13) is provided to the Public Guardian and Trustee.]*

*[A copy of the deceased's will, if any, identified above, must be delivered with this notice if the application is for a grant of probate or a grant of administration with will annexed. A copy of the foreign grant, and, if a copy of the will is not attached to the foreign grant, a copy of the will, must be delivered with this notice if the application is for a resealing of a foreign grant or for an ancillary grant of probate or an ancillary grant of administration with will annexed. Note that a reference to "will" includes all documents that are included within the definition of "will" in the Wills, Estates and Succession Act.]*

## **INFORMATION ABOUT EACH APPLICANT**

*[Complete the following for each applicant. Add additional sheets as required.]*

Name: Mary Jane Smith

[first name] [middle name(s)] [last name/family name]

Mailing address: [Include street number or post office box, city/town, province, country and postal code.]  
567 Broadway, Vancouver, British Columbia, Canada, V5N 1B1

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

- This applicant is not an individual  
 This applicant is an individual and ordinarily lives

[If you checked the second of the immediately preceding 2 boxes, check whichever one of the immediately following 2 boxes is correct and provide any required information.]

- at the mailing address noted above  
 in the following city and country: \_\_\_\_\_

#### **ADDRESS FOR SERVICE OF APPLICANT(S)**

[Check whichever one of the immediately following 2 boxes is correct and provide any required information. If there are 2 or more applicants, they must share the same address(es) for service.]

- The applicant's(s') address for service is the mailing address noted above.  
 The applicant's(s') address for service is

[You must set out the street address of the address for service. One or both of a fax number and an e-mail address may be given as additional addresses for service.]

Street address for service: 567 Broadway, Vancouver, BC V5N 1B1

Fax number address for service (if any): \_\_\_\_\_

E-mail address for service (if any): mary.smith@email.com

Telephone number: 604-555-1234

Date: 01/FEB/2024

\_\_\_\_\_  
Signature of [ ] applicant [ ] lawyer for applicant(s)

\_\_\_\_\_  
\_\_\_\_\_  
[type or print name]