

Form P4 (Rule 25-3 (2))

This is the 1st _____ affidavit of Mary Jane Smith in this case and was made on
01/FEB/2024

[Style of Proceeding]

**AFFIDAVIT OF APPLICANT FOR GRANT OF PROBATE OR GRANT OF ADMINISTRATION WITH
WILL ANNEXED (LONG FORM)**

[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 in relation to the document that is identified in section 4 of Part 3
of the submission for estate grant as the will (the "will"), and am applying for:

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

- ☒ a grant of probate.
☐ a grant of administration with will annexed.

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

- ☐ The applicant on whose behalf this affidavit is sworn is not an individual and I am authorized by the
applicant to swear this affidavit on the applicant's behalf.
☒ I am an individual and ordinarily live at the following location:

City/town: Vancouver

Province/state: British Columbia

Country: Canada

[Check the box for whichever one of the immediately following section 3's is correct and provide any required information.]

- ☒ I am named as an executor or alternate executor as Mary Jane Smith in the will and my
appointment has not been revoked under section 56 (2) of the *Wills, Estates and Succession Act* or by a
codicil to the will.

*[If you checked the immediately preceding box, check whichever one of the immediately following 3 boxes is correct and complete any
required information.]*

- ☒ No other persons are named in the will as executor.
☐ No other persons are named in the will as executor who are not parties to this application.
☐ Other persons are named in the will as executor and, of those, the following person(s) is/are not named
as an applicant on the submission for estate grant for the reason shown after his/her/their name(s):

[Complete the following for each named person.]

- ☐ I am not named as an executor or alternate executor in the will, and am a person referred to in paragraph
_____ of section 131 of the *Wills, Estates and Succession Act*.
☐ I am an attorney of a foreign personal representative and am making application under section 139 of
the *Wills, Estates and Succession Act*.

4 *[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.

5 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 dated later than the will has been found.

☐ one or more testamentary documents dated later than the will have been found. A copy of the testamentary document(s) is attached as an exhibit to the affidavit. I believe that the later testamentary document(s) is/are invalid or otherwise not relevant to this application for the following reasons:

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

☒ I am not aware of there being any issues respecting execution of the will. [Go to section 7.]

☐ I believe that the following issue(s) respecting execution apply(ies) to the will and I am not aware of there being any other issues respecting execution of the will:

7 I believe that the will is the last will of the deceased that deals with property in British Columbia.

8 *[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:

9 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.

10 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]