

**Form P2 (Rule 25-3 (2))**

No. V-12345

Vancouver Registry

**In the Supreme Court of British Columbia**

In the Matter of the Estate of JOHN ROBERT SMITH, deceased

**SUBMISSION FOR ESTATE GRANT**

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

This submission for estate grant is submitted by/on behalf of: Mary Jane Smith

I am/We are/I, \_\_\_\_\_, am applying for the following in relation to the estate of the deceased described in Part 1 of this submission for estate grant (the "deceased"):

*[Check whichever one of the immediately following 5 boxes is correct and complete and attach the required schedule.]*

- Grant of probate [Complete and attach the Schedule for Grant of Probate or Grant of Administration with Will Annexed.]
- Grant of administration with will annexed [Complete and attach the Schedule for Grant of Probate or Grant of Administration with Will Annexed.]
- Grant of administration without will annexed [Complete and attach the Schedule for Grant of Administration without Will Annexed.]
- Ancillary grant of probate or ancillary grant of administration with will annexed [Complete and attach the Schedule for Ancillary Grant of Probate or Ancillary Grant of Administration with Will Annexed.]
- Ancillary grant of administration without will annexed [Complete and attach the Schedule for Ancillary Grant of Administration without Will Annexed.]

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

- I am/We are submitting with this submission for estate grant an affidavit of assets and liabilities in Form P10 or P11 and therefore do not require an authorization to obtain estate information.
- I am/We are seeking an authorization to obtain estate information so that I/we can secure the information necessary to prepare and submit an affidavit of assets and liabilities for estate grant.

*[Indicate how many court certified copies of the estate grant/authorization to obtain estate information you require.]*

- I/we request 2 certified copy(ies) of the estate grant.
- I/we request \_\_\_\_\_ certified copy(ies) of the authorization to obtain estate information.
- I/We request \_\_\_\_\_ certified copy(ies) of the affidavit of assets and liabilities for domiciled estate grant.
- I/We request \_\_\_\_\_ certified copy(ies) of the affidavit of assets and liabilities for non-domiciled estate grant.

This submission for estate grant has 4 Parts:

Part 1 — Information about the Deceased

Part 2 — Contact Information for the Applicant(s)

Part 3 — Documents filed with this submission for estate grant

Part 4 — Schedule

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

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

## PART 1 — INFORMATION ABOUT THE DECEASED

Full legal name of deceased:

John \_\_\_\_\_ Robert \_\_\_\_\_ Smith \_\_\_\_\_  
[first name] [middle name(s)] [last name/family name]

Other names in which the deceased held or may have held an interest in property:

1. Johnny Smith

2.

3. etc.

Last residential address of the deceased:

Street number and street name: 1234 Main Street

[OR]

Post office box: \_\_\_\_\_

City/Town: Vancouver

Province: British Columbia

Country: Canada

Postal Code: V6A 1A1

Deceased's date of death: 15/JAN/2024

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

The deceased was neither a Nisga'a citizen nor a member of a treaty first nation.

The deceased was a Nisga'a citizen.

The deceased was a member of the \_\_\_\_\_ treaty first nation.

## PART 2 — CONTACT INFORMATION FOR THE APPLICANT(S)

*[You must set out the street address of the address for service. This may be your lawyer's office if you are represented by a lawyer. One or both of a fax number and an e-mail address may be given as additional addresses for service. If there is more than one applicant, all applicants must share the same address(es) 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

## PART 3 — DOCUMENTS FILED WITH THIS SUBMISSION FOR ESTATE GRANT

1. *[Check whichever one of the immediately following 3 boxes is correct and file the specified affidavit(s).]*

- [X] There is one applicant to this submission for estate grant and a \_\_\_\_\_ affidavit is filed with this submission for estate grant.
- [ ] There are 2 or more applicants to this submission for estate grant and a joint \_\_\_\_\_ affidavit on behalf of all applicants is filed with this submission for estate grant.
- [ ] There are 2 or more applicants to this submission for estate grant and a \_\_\_\_\_ affidavit is filed with this submission for estate grant and \_\_\_\_\_ affidavit(s) in Form P8 is/are filed with this submission for estate grant.

2. [Check the box for whichever one of the immediately following section 2's is correct and provide any required information.]

- [X] Filed with this submission for estate grant is/are the following Affidavit(s) of Delivery in Form P9 that confirms/collectively confirm that the documents referred to in Rule 25-2 were delivered to all of the persons to whom, under that rule, the documents were required to be delivered:

Affidavit of Robert Johnson sworn 01/FEB/2024

- [ ] No affidavit of delivery is attached. In accordance with Rule 25-2, no one, other than the applicant(s), is entitled to notice.

3. Filed with this submission for estate grant are 2 copies of the certificate of the chief executive officer under the Vital Statistics Act indicating the results of a search for a wills notice filed by or on behalf of the deceased.

4. [Check whichever one of the immediately following 5 boxes is correct, provide any required information and file any specified documents.]

- [X] This application is for a grant of probate, or a grant of administration with will annexed, in relation to the will of the deceased dated 10/MAR/2019 \_\_\_\_\_, and filed with this submission for estate grant is the originally signed version of the will and 2 copies of the will.

5. [Check the box for whichever one of the immediately following section 5's is correct and provide any required information.]

- [X] This application is for a grant of probate or a grant of administration with will annexed and there are no orders affecting the validity or content of the will referred to in section 4.
- [ ] This application is for a grant of probate or a grant of administration with will annexed and the following order(s) affect(s) the validity or content of the will referred to in section 4:

6. [Check whichever one or more of the immediately following 5 boxes is correct and provide any required information.]

- [X] This application is for a grant of probate, a grant of administration with will annexed, an ancillary grant of probate or an ancillary grant of administration with will annexed and the will referred to in section 4 does not refer to any documents or refers only to documents attached to the will.
- [ ] This application is for a grant of probate, a grant of administration with will annexed, an ancillary grant of probate or an ancillary grant of administration with will annexed and filed with this submission for estate grant is/are the following document(s), which document(s) is/are all of the documents referred to in, but not attached to, the will referred to in section 4:

7. [Check whichever one of the immediately following 2 boxes is correct and describe and file any specified documents.]

- [X] No documents other than those described elsewhere in this submission for estate grant are filed with this submission for estate grant.
- [ ] In addition to the documents described elsewhere in this submission for estate grant, the following documents are filed with this submission for estate grant:

8. [Check whichever one of the immediately following 2 boxes is correct, provide any required information and file any specified documents.]

- [X] All documents filed with this submission for estate grant are written in the English language.

[ ] Filed with this submission for estate grant is an affidavit of translator in Form P12 of \_\_\_\_\_, who translated the \_\_\_\_\_ filed with this submission for estate grant.

#### PART 4 — SCHEDULE

1. [Check whichever one of the immediately following 4 boxes is correct and attach the specified Schedule.]

- [X] Attached to this submission for estate grant is a Schedule for Grant of Probate or Grant of Administration with Will Annexed.
- [ ] Attached to this submission for estate grant is a Schedule for Grant of Administration without Will Annexed.
- [ ] Attached to this submission for estate grant is a Schedule for Ancillary Grant of Probate or Ancillary Grant of Administration with Will Annexed.
- [ ] Attached to this submission for estate grant is a Schedule for Ancillary Grant of Administration without Will Annexed.

*[This Schedule is to be completed and attached to the submission for estate grant only if the application is for a grant of probate or a grant of administration with will annexed.]*

## **Schedule for Grant of Probate or Grant of Administration with Will Annexed**

**1.** *[Indicate if there is any person, other than the applicant, who meets all of the following criteria and therefore is an executor whose right should be reserved on the grant.]*

### **Criteria**

- (a) *the person is named in the will as executor or alternate executor;*
- (b) *the person is a co-executor with the applicant(s) (i.e. has a right to make an application for an estate grant that is equal to the applicant's(s') right to make that application);*
- (c) *the person has not renounced executorship;*
- (d) *the person is alive at the date of this submission for estate grant;*
- (e) *the person has not become incapable of managing the person's affairs.*

There is no person who meets all of the foregoing criteria.

The following person(s) meet(s) all of the foregoing criteria:

**2.** Listed in each of the following paragraphs is every person who falls within the class of persons identified by that paragraph:

*[Provide under each of the following paragraphs the full name of each person to whom the paragraph applies, whether or not that person is named elsewhere in this submission for estate grant.]*

*[List each named person on a separate line. Do not leave any paragraph blank or indicate "Not applicable"; clearly state why a paragraph does not apply.]*

*[A person who does not survive a deceased person by 5 days, or a longer period provided in an instrument, is conclusively deemed to have died before the deceased. If a person survives a deceased person by 5 days, or longer if required by the will, for the purposes of this Form, the person is referred to as "surviving".]*

(a) spouse, if any, of the deceased [see section 2 of the Wills, Estates and Succession Act] *[Provide the appropriate response(s), as applicable: spouse [provide name of spouse]/no currently surviving spouse as defined by section 2 of the Wills, Estates and Succession Act [provide name of spouse and indicate "(deceased)"/never married.]:*

No currently surviving spouse as defined by section 2 of the Wills, Estates and Succession Act: Mary Jane Smith (deceased)

(b) child(ren), if any, of the deceased *[Provide the appropriate response(s), as applicable: surviving child(ren) of deceased [provide name(s) of child(ren)]/any child(ren) of the deceased who did not survive the deceased [provide name(s) of child(ren) and indicate "(deceased)"/no children.]:*

David Smith (surviving)

Sarah Smith (surviving)

(c) each person, if any, who is a beneficiary under the will and is not named in paragraph (a) or (b) *[List each surviving beneficiary and all beneficiaries who did not survive the deceased in this application and indicate "(surviving)" or "(deceased)", as applicable.]:*

Robert Johnson - nephew (surviving)

(d) each person, if any, who would have been an intestate successor if the deceased had not left a will and who is not named in paragraph (a), (b) or (c) *[List all surviving persons who would be entitled to inherit on intestacy and their relationship to the deceased.]:*

No intestate successors (all beneficiaries named in will)

(e) each citor, if any, not named in paragraph (a), (b), (c) or (d) [see Rule 25-11] *[List anyone who has filed a citation or indicate that no citation has been received.]:*

No citations received