



Affidavit for intestate situation for the province of Ontario

Fill this form if a member of your family has passed away and no last will and testament was found naming an executor. If you are asking to be recognized by the Canada Revenue Agency as the person or persons who will **manage the tax affairs** of the person who died intestate, complete this form and send it with all the requested documents to the Canada Revenue Agency.

Part 1 – Requestor(s)

I/We, _____, residing at
(print requestor's name)

_____ in _____,
(civic number, street name, apt./suite number) (town/city)

_____, _____ and _____,
(province/territory) (postal code) (print additional requestor's name, if applicable)

residing at _____ in _____,
(civic number, street name, apt./suite number) (town/city)

_____, _____, declare that:
(province/territory) (postal code)

A search for the last will and testament of _____ was completed and a will was **not** found.
(name of the deceased)

Tick the boxes below to confirm the following places were searched for the last will and testament:

- Provincial/Territorial registry Provincial/Territorial court

Provide the following information about the deceased:

1. Deceased's social insurance number _____
2. Deceased's complete address _____
3. Enclose the deceased's death certificate (certified copy from the funeral home)

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Part 2 – Relationship to the deceased

The relationships below are listed in order of priority.

Tick the box to identify your relationship to the deceased.

Spouse of the deceased

You **must** provide a copy of your marriage certificate.

Common-law partner of the deceased

You are considered common-law partners if you have lived together in a conjugal relationship for three years or more, or if you are living together in a conjugal relationship and are the natural or adoptive parents of a child or children.

You **must** provide proof of cohabitation for the last three years or the long form copy of your child's birth certification.

Adult child/children, adult stepchild/children, or adult adopted child/children of the deceased

You **must** provide a long-form copy of your birth certificate (for each requestor).

(The adult child/children must be at least 18 years old to be able to sign this form.)

Parent(s) and/or step-parent(s) of the deceased

You must provide a long-form copy of the birth certificate (for each requestor).

Sibling(s), half sibling(s) or step-sibling(s) of the deceased

By checking this box, you are confirming that the deceased did not have any surviving relationships with any person(s) mentioned above.

Grandparent(s) of the deceased

Part 3 – Consent from surviving next of kin

Are there any remaining person(s) who are at a higher rank or equal rank to yours as selected in Part 2?

Yes – You must name them all below.

You must obtain a signature and/or a letter of consent from each person named below.
(Use more sheets of paper if needed).

No – Go to Part 4.

_____ Surname, Name (Print)	_____ Signature	_____ (YYYYMMDD)	_____ Relationship to the deceased
_____ Surname, Name (Print)	_____ Signature	_____ (YYYYMMDD)	_____ Relationship to the deceased
_____ Surname, Name (Print)	_____ Signature	_____ (YYYYMMDD)	_____ Relationship to the deceased
_____ Surname, Name (Print)	_____ Signature	_____ (YYYYMMDD)	_____ Relationship to the deceased

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Part 4 – Declaration and Certification

By completing and signing Part 4, you are declaring that all the information you gave is true to the best of your knowledge.

Declaration

I/We, the undersigned, _____ have signed in _____ ,
(print requestor's name) (town/city)

_____, on _____, and
(province/territory) (YYYYMMDD)

_____, have signed in _____ ,
(print requestor's name, if applicable) (town/city)

_____, on _____, declare that all the information given is true to the best of my/our knowledge.
(province/territory) (YYYYMMDD)

Signature (requestor)

()
Telephone number

Signature (additional requestor)

()
Telephone number

Certification

Sworn before me in _____ , _____ ,
(town/city) (province/territory)

on _____ .
(YYYYMMDD)

Official's signature (surname, given name, position/title, and commission number, in block letters)

Certifications accepted from:

- chief of First Nations band
- justice of the peace
- lawyer (member of a provincial or territorial association)
- notary (Quebec)
- mayor
- notary public
- police officer (municipal, provincial or RCMP)
- commissioner of oaths, provided that they have an official government agency appointment and a seal or stamp



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Letter of Consent

I, _____ residing at _____
(print full name) (address)

in _____, _____, _____
(town/city) (province/territory) (postal code)

am the _____ of the late _____, and I give my consent for
(relation to the deceased) (full name of the deceased)

_____, and _____,
(name of the requestor) (name of additional requestor, if applicable)

to be the person(s) recognized by the Canada Revenue Agency to manage the tax affairs of the deceased named in this letter.

Signature (YYYYMMDD) ()
Telephone number

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Instructions

Who needs to fill out this form

Fill out this form if you want the Canada Revenue Agency (CRA) to recognize you as the person who will manage the tax affairs of a family member who died intestate, meaning without a last will and testament that names an executor.

There are forms for all Canadian provinces and territories except for the province of Quebec. If you are a Québec resident, go to [Revenu Québec](#) and get form BD-81.7-V (2013-09).

Select the affidavit according to province or territory where the deceased lived.

The CRA will **only** process forms when the requested documents are attached.

PART 1 – Requestor

The requestor is the one who completes this form and provides all the requested documents.

Note: If there are more than two requestors, use a separate sheet of paper to add the information for each additional requestor.

Print the **full name** of the deceased.

Find out if a last will and testament exists for the deceased. You can get this information from the provincial/territorial registry and the courts of the province/territory where the deceased lived. Tick both boxes to confirm that you verified.

Provide the following information about the deceased:

- social insurance number
- address
- enclose the deceased's death certificate (certified copy from the funeral home)

PART 2 – Relationship to the deceased

Tick the box to select your (the requestor's) relationship to the deceased.

Note: The relationships are listed in order of rank in Part 2 of the form. This means that if there are any relationships that are ranked above yours on the list, they have priority and will be considered first. For this reason, you need to get consent from family members ranked above you or family members equal to you if you want the CRA to allow you to manage the tax affairs of the deceased. (See Part 3 for explanations.)

Depending on which box you tick, you may need to provide a copy of one or more of the following documents:

- marriage certificate
- rental agreement or mortgage, household bills or bank statement (all copies must bear the name of the common-law spouse and the name of the deceased, with the deceased's address, as proof of cohabitation)
- your birth certificate – long form

Note: The **long form** birth certificate contains the necessary information to verify the relationship to the deceased. Ask the government in the province or territory where the person was born for a copy.

PART 3 – Letter of Consent

If there are **any** other surviving family members of the deceased that are ranked higher than yours, as listed on the form, you need their consent to manage the tax affairs of the deceased.

Examples of ranking order that need consent:

- a) If you are a child of the deceased and the deceased had other children, you must get their consent.
- b) If you are a sibling of the deceased and the deceased had other siblings, you must get their consent.
- c) If you are a sibling of the deceased and the deceased has a surviving spouse or children, you must get their consent.

PART 3 – Letter of Consent (continued)

If you tick “Yes”, there are three ways to get consent:

Option 1

Have the family members listed in Part 3 provide their signature, date, and their relationship to the deceased beside their names.

Option 2

Get a letter of consent from each family member listed in Part 3. The letter(s) must be completed and signed. The blank letter of consent is herein; or make copies as required.

Option 3

Combine options 1 and 2. Use Option 1 for family members who live nearby and use Option 2 for family members who live out of town.

If you tick “No”, go to Part 4.

Note: If you tick “No”, you are confirming that the deceased had no other surviving family members.

PART 4 – Declaration and Certification

Declaration – By the requestor

Complete all fields that apply to you in the Declaration portion of Part 4 to confirm that the information provided is true to the best of your knowledge.

If there are more than two requestors, provide the same information for each additional requestor on a separate sheet of paper.

Certification – By an official

Have the affidavit form and all supporting documents certified by an official accepted by the CRA. See the list of accepted officials in Part 4 of the form.

Mailing the form

Where do you send your affidavit form and all the requested documents?

Note: Keep a copy of all documents for your records before you mail them.

Mail your completed affidavit form and all the requested documents to the deceased’s tax centre. Go to Tax Centres for a list of the CRA’s tax centres.

If you are unsure which tax centre to mail your request to, call **1-800-959-8281**. Telephone agents are available Monday to Friday (except holidays) from **9 a.m. to 5 p.m.** (local time).

How long will it take to process your request?

The CRA aims to process your request within four weeks from the date we receive it.

Can a representative act on your behalf after the CRA has approved your request?

Yes. If your request is approved, you may have a representative handle the tax affairs of the deceased on your behalf by filling out a T1013, Authorizing or Cancelling a Representative.

Do you need more information?

If you have more questions on how to fill out this form, call **1-800-959-8281**.

Teletypewriter (TTY) users: call **1-800-665-0354** (Canada and United States).

Hours of service.