

If Ontario is the first jurisdiction for probate	
Intestate (no Will) (applicant must live in Ontario)	
Estate <u>over</u> \$350,000	Bond or dispense
Estate <u>under</u> \$350,000 and ...	
Applicant is the married spouse of the deceased	No bond required
Estate over \$150,000 and applicant resides in Ontario ...	
Applicant is not the married spouse of the deceased.	Bond or dispense
Estate under \$150,000 and applicant not married spouse of deceased ...	
No beneficiary is a minor or incapable adult	No bond required
One or more beneficiaries is a minor or an incapable adult (incapable of managing their own finances)	Bond or dispense

Note: If any beneficiary of an intestate estate is a minor (under 18) the motion to dispense with the bond will be closely scrutinized and likely opposed by the Office of the Children's Lawyer, especially if the minor's inheritance will be over \$100,000

miltons estates law

Email	info@ontario-probate.ca (preferred)
Tel	1 (888) 981 7296 (voicemail only)
Fax	1 (866) 397 9227
Website	Ontario-Probate.ca
Address	200 - 15 Fitzgerald Road, Ottawa, Ontario, Canada, K2H 9G1

Testate (with a Will)	
Applicant is an executor named in Will and ...	
Executor resident in Canada or other Commonwealth country	No bond required
Executor not resident in Canada or other Commonwealth country	Bond or dispense
Applicant is NOT an executor named in the Will and ...	
Applicant resides outside Commonwealth	Bond or dispense
Applicant resides in Canada or other Commonwealth country	
Estate under \$150,000 ...	
No beneficiary is a minor and no beneficiary an incapable adult	No bond required
One or more beneficiaries is a minor or an incapable adult (incapable of managing their own finances)	Bond or dispense
Estate over \$150,000	Bond or dispense

Estate already probated outside Ontario	
In Canada or other Commonwealth country	
Re-sealing of original probate <u>with</u> a Will	No bonding
Re-sealing of original probate <u>without</u> a Will	Bond required
Outside the Commonwealth	
With a Will: ancillary grant. Regardless of residence of applicant	Bond or dispense
No Will: nominee of foreign trustee must be resident in Ontario	Bond or dispense