

FORM 74L

REQUEST FOR ADMINISTRATION

THE QUEEN'S BENCH

\_\_\_\_\_ Centre

IN THE ESTATE OF \_\_\_\_\_, deceased.

I (We) \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_, in Manitoba,  
(occupation(s)) hereby request that administration of the property of the deceased be granted to  
me(us) (or as the case may be) based on the following information:

1. THAT \_\_\_\_\_, late of the \_\_\_\_\_ of \_\_\_\_\_, in Manitoba, died intestate on the \_\_\_\_\_ day  
of \_\_\_\_\_, \_\_\_\_\_.
2. THAT at the time of (his/her) death, the deceased [choose all statements below that apply]  
 had never married  
 was married to: \_\_\_\_\_ (name) \_\_\_\_\_  
 was divorced from: \_\_\_\_\_ (name) \_\_\_\_\_  
 was predeceased by (his/her) spouse: \_\_\_\_\_ (name) \_\_\_\_\_.

*(Note: complete paragraph 3 only if the deceased died on or after June 30, 2004.)*

3. THAT at the time of (his/her) death, the deceased [read the explanatory notes following paragraph 3,  
then choose all statements below that apply]  
 had never cohabited with a common-law partner  
 was cohabiting with (his/her) common-law partner: \_\_\_\_\_ (name) \_\_\_\_\_  
 was separated from (his/her) common-law partner, \_\_\_\_\_ (name) \_\_\_\_\_, but their  
relationship had not been terminated  
 had a common-law relationship with \_\_\_\_\_ (name) \_\_\_\_\_ that had been terminated  
 was predeceased by (his/her) common-law partner: \_\_\_\_\_ (name) \_\_\_\_\_.

If, at the time of (his/her) death, the deceased had one or more common-law partners, specify the date(s)  
when (the/each) relationship began and, if applicable, the date(s) when the partners separated or the  
common-law relationship terminated.

If, at the time of (his/her) death, the deceased had a spouse in addition to one or more common-law  
partners, also specify the date of the marriage, and, if applicable, the date when the spouses separated.

NOTE: For the purposes of this Form,

**"common-law partner"** of a deceased person means

- (a) a person who, with the deceased, registered a common-law relationship under section 13.1 of *The Vital Statistics Act*, or
- (b) a person who, not being married to the deceased, cohabited with him or her in a conjugal relationship
  - (i) for a period of at least three years, or
  - (ii) for a period of at least one year and they are together the parents of a child.

**"termination of a common-law relationship"** means

- (a) where the common-law relationship was registered with Vital Statistics (under section 13.1 of *The Vital Statistics Act*), the dissolution of the relationship has been registered with Vital Statistics; or
- (b) where the common-law relationship was not registered with Vital Statistics, the parties to the common-law relationship have lived separate and apart for a period of at least three years.

4. THAT no marriage of the deceased or any form of marriage he/she went through was ever dissolved or annulled, the deceased was not separated from a spouse or common-law partner, and no common-law relationship of the deceased was ever terminated.

NOTE: If otherwise, give particulars of any dissolution or annulment of a marriage or any termination of a common-law relationship, and state whether there has been a remarriage or subsequent common-law relationship. If there has been a remarriage or subsequent common-law relationship, also state whether the deceased's former spouse and/or common-law partner was alive at the time of the deceased's death.

If at the time of the intestate's death, the intestate was living separate and apart from a spouse and/or one or more common-law partners, state this fact and whether, in each case:

- (a) during the period of separation, either the intestate or the spouse, or both, filed a petition for divorce and whether such petition is pending or has been dealt with by way of final order at the time of the intestate's death; or
- (b) if the common-law relationship of the intestate and his/her common-law partner was registered under section 13.1 of *The Vital Statistics Act*, the dissolution of the common-law relationship was registered under section 13.2 of that Act before the intestate's death; or
- (c) if the common-law relationship of the intestate and his/her common-law partner was not registered under section 13.1 of *The Vital Statistics Act*, they had been living separate and apart for a period of at least three years at the time of the intestate's death; or
- (d) during the period of separation, either the intestate or the spouse or common-law partner, or both, made an application for an accounting or equalization of assets under *The Marital Property Act* or *The Family Property Act* and whether such application is pending or has been dealt with by way of final order at the time of the intestate's death; or
- (e) before the intestate's death, the intestate and the spouse or common-law partner divided their property in a manner that was intended by them, or appears to have been intended by them, to separate and finalize their affairs in recognition of their marriage or common-law relationship breakdown.

5. THAT the deceased had the following issue:

Name	Date of Birth	Name of other parent
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6. THAT (I/we) believe that the deceased died without leaving a will.

7. THAT particulars of those having equal or prior superior right to grant of administration of the estate are as follows:

Name	Address	Kinship	Age
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8. THAT the deceased died possessed of or entitled to immoveable property worth \$\_\_\_\_\_, and moveable property worth \$\_\_\_\_\_, true particulars of which are set out in the attached inventory

9. THAT (I am/we are each) \_\_\_\_\_ of the full age of 18 years and \_\_\_\_\_ (is my/are our) habitual residence(s) and (I/we) claim to be entitled to administration of the estate as \_\_\_\_\_.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(signature(s) of applicant)

I certify that a search has been done and that no will of the deceased has been deposited in the Court of Queen's Bench.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(signature of deputy registrar)