

Attorney's Name
Bar Number
Address
Phone Number
Fax Number
Email Address

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE ESTATE OF
NAME OF DECEASED
(INCLUDE ALL NAMES BY WHICH THE DECEASED WAS KNOWN)
(DECEASED)
late of
(Address (use last place of abode)
Deceased

I (Name¹, occupation² and marital status³ of residuary beneficiary) of (address of residuary beneficiary) in the Island of Trinidad, make oath and say as follows:

1. That I desire to obtain Letters of Administration de Bonis Non with Will Annexed of (Name of deceased as on the will and all other names by which the deceased was known⁴) (hereinafter called "the Deceased"), who died at (place of death as appears on the previous grant) on the (date of death as appears on the previous grant) (domicile of deceased⁵) having a fixed place of abode at (last address of deceased⁶). I am over the age of 18 years.
2. I am applying in my capacity as the residuary beneficiary of the last will and testament of the Deceased. On the (date of grant of deceased) a Grant of Probate in the estate of the deceased was granted to (name of executor of deceased will). An office copy of the grant of probate is hereto annexed and marked ("initials of residuary beneficiary 1").
3. The executor (name of executor) died intestate on the (date of death of the executor) without administering/fully administering the estate of the deceased. The death

1

Where there are variations to the applicant's name, either in spelling or the way it appears on documents e.g. Jane Smith is applying but Janet Smith appears on the marriage certificate, a statutory declaration by an independent person (who is either older than or close in age to the applicant) is to be filed.

2

This is required for male applicants only.

3

This is required for female applicants only.

4

Where there are typographical errors (e.g. Basdaye/Basdai/Basday/Basdaie) in the deceased's name appearing on documents or otherwise, all typographical errors must be stated (and searched) and each must be properly explained by the applicant i.e. an explanation is required to account for the differences.
Where there are different names for the deceased and no nexus between the names (e.g. Basdeo Persad also called Andre Jones) an affidavit of alias by an independent person (who is either older than or close in age to the deceased) is to be filed.

5

If the deceased was not domiciled in Trinidad and Tobago, an affidavit of law is required to be filed. The words "domicile" and "fixed place of abode" are synonymous, therefore a person cannot be domiciled in Trinidad and Tobago with a fixed place of abode in another country.

6

If the deceased person was most recently living in an institution, the address of the institution can be used as the last place of abode but you must indicate what was his last residential address e.g. "John Smith late of Vitas House 239 James Street, Port-of-Spain formerly of 1234 Abercromby Lane, Port-of-Spain".

certificate of the executor is hereto annexed and marked (*"initials of residuary beneficiary 2"*).

4. The paper writing annexed hereto and marked by me in my solemn belief contains an **office copy** of the last Will and testament (*and office copy of the codicil if applicable*) of the deceased (*Name of Deceased*) dated the (*state date of will and codicil if applicable*).
5. No application for **letters of administration de bonis non with will annexed** had been made previous to this application and no Will of the Deceased other than that for which **letters of administration de bonis non with will annexed** is now sought is deposited in the depository for Wills of living persons in the Registry. (*If a previous application was made details of previous application and information as to withdrawal or if granted date of revocation of grant to be stated*).
6. The deceased at the time of his death was (*state marital status and occupation*).
7. The other residuary beneficiary has consented to me making this application⁷. The consent of the other residuary beneficiary is hereto annexed and marked (*"initials of residuary devisee 3"*). *If applicable*.
8. The reason for the delay in filing the application is due to (*this is only to be done if 3 years has elapsed since the death of the previous personal representative*.)
9. I will duly get in and administer the estate of the said Deceased and pay the Deceased's just debts and distribute the rest of his estate according to law.
10. I will file in the Registry within 12 calendar months from the date of the grant a statement and account verified by my affidavit of my administration of the estate of the Deceased.
11. The statements in the application annexed hereto are true to the best of my knowledge, information and belief.
12. An **office copy** of the inventory of the previous estate is hereto annexed and marked (*"initials of residuary beneficiary 4"*).
13. The gross value as at the date of death thereof altogether is (*same value as on the inventory*⁸) as set out in the Inventory to the best of my knowledge, information and belief. The inventory hereto annexed and marked (*"initials of residuary beneficiary 5"*) is a true inventory of the particulars of the un-administered estate of the deceased.

⁷ If the applicant is unable to obtain the consent of the other residuary beneficiary(ies), proof of notification is to be filed i.e. a copy of the letter sent along with the original receipt from the post office. Where the other residuary beneficiary(ies) are deceased, original death certificates to be provided.

⁸ Where items from the previous inventory are being applied for, the values on the new inventory to reflect the same value as the old inventory. Where items had not been previous applied for, the value is to be at the date of death of the deceased.

14. The Letters of Administration de Bonis Non with Will Annexed is required in the names of the deceased (*state names of deceased as on previous grant⁹*) and in the name of the applicant as (*state names of the applicant*).

SWORN to at *Place sworn*)
) Applicant's signature
)
This day of _____ 20 ____ .)

Before me,

Commissioner of Affidavits¹⁰

⁹ Only state the names in which you would like the grant to be issued, this may or may not include all the names in which the search was done. If the grant is required in names of the deceased which were not on the previous grant, to indicate the names of the deceased, a statutory declaration is to be filed accounting for all the names of the deceased and a search is to be done in all the previous and new names of the deceased.

¹⁰ Please note the Commissioner of Affidavit is to sign, date and stamp all exhibits according to the exhibit numbers as set out in the affidavit. The Commissioner of Affidavits is also to initial all insertions and corrections made to every document filed.