

# Section 167 of the Wills, Estates and Succession Act (WESA)

Information paper - Plain language version

Section 167 of the **Wills, Estates and Succession Act (WESA)** gives the Public Guardian and Trustee (PGT) temporary authority to step in right away to manage a person's estate after they die. This power allows the PGT to protect estate assets until the court appoints an administrator. Section 167 only applies when no one else is willing and able to manage the estate.

Before acting under s. 167, the PGT confirms that:

- the person who died lived in British Columbia, or had assets in British Columbia;
- the person either did not have a will, or had a will but no executor who is willing and able to act; and
- the PGT intends to apply to the court to be appointed as administrator of the estate.

Section 167 allows the PGT to begin acting before the court issues a grant of administration. A grant of administration is the court's formal approval to administer an estate. This means the PGT can take steps to protect and manage estate assets while preparing its court application.

In some cases, the PGT may begin managing an estate under s. 167 and later transfer control of the estate if someone comes forward and proves they have the legal right and are willing and able to act.

The powers in s. 167 are temporary. They are meant to protect estate assets in the time between a person's death and the PGT's formal appointment by the court. These powers are especially important because the PGT becomes involved only when there is no other suitable person willing and able to manage the estate. This can include situations where beneficiaries or heirs are children or vulnerable adults who cannot manage their own affairs. After acting under s. 167, the PGT must still apply to the court for a grant of administration before it can fully administer the estate.

When needed, the PGT can issue a signed letter confirming it is acting under s. 167. This letter is proof that the PGT has legal authority to act.

Although the PGT has not yet asked the court to enforce s. 167, it may do so if someone refuses to cooperate or refuses to release estate assets. If estate assets are withheld and lose value as a result, the PGT may need to consider legal action.

Looking for the detailed legal version? Read the [full technical paper](#).

# Contact the Public Guardian and Trustee

## Estate and Personal Trust Services

700-808 West Hastings Street  
Vancouver, B.C. V6C 3L3

<b>Phone</b>	604-660-4444
<b>Fax</b>	604-660-0964
<b>Email</b>	<a href="mailto:estates@trustee.bc.ca">estates@trustee.bc.ca</a>
<b>Website</b>	<a href="http://www.trustee.bc.ca">www.trustee.bc.ca</a>

## Toll free calling

Toll free calling is available through Service BC.  
After dialing the appropriate number for your area  
(see below) request to be transferred to the Public  
Guardian and Trustee.

<b>Vancouver</b>	604-660-2421
<b>Victoria</b>	250-387-6121
<b>Other areas in B.C.</b>	1-800-663-7867

## PGT hours of operation

Monday to Friday 8:30am to 4:30pm