

Estate Administration Services

General information

When there is a will

A will is a legal document left by someone who has died. It lets the court know what to do with that person's estate. When a person dies and leaves a valid will, it is the responsibility of the executor named in the will to administer the estate.

- An executor is the person or organization named in a will to administer and distribute an estate
- An estate refers to all the money, assets and property owned by a person

If the executor is not able or does not want to take on this responsibility, someone else can be appointed administrator of the estate. An administrator is a person responsible for administering the estate of someone who died, either without a will or where a named executor cannot act or has died. An administrator is the same as an executor, but is appointed by a court.

Usually, an administrator or executor is a family member or close friend. If it is a complicated estate, it could be a professional, such as a lawyer or trust company. If there is no suitable person to act as an executor, the Public Guardian and Trustee (PGT) may provide this service. When we agree to administer the estate and there is a valid will, we follow the terms of the will.

When there is no will

The Wills, Estates and Succession Act (WESA) establishes the people who have a right to administer the estate when a person dies without a will. In order of priority, these people are:

- The spouse or a person nominated by the spouse
- A child having the consent of a majority of the children or a person nominated by that child
- A child not having the consent of a majority of the children
- An intestate successor other than the spouse or child, who has the consent of the majority of intestate successors.
 - An intestate successor (often commonly referred to as heir) is a person who is entitled to receive something from a deceased person's estate, but there is no valid will or there is a gap in the will
- An intestate successor (heir) other than the spouse or child, who doesn't have the consent of the majority of intestate successors
- Any other person the court considers appropriate to appoint, including the PGT

If you have concerns about the proposed administrator, you may wish to seek legal advice.

Duties of an estate administrator or executor

The duties of an estate administrator or executor can include:

- Making funeral arrangements
- Identifying, securing and dealing with assets
- Identifying and paying debts and claims
- Filing tax returns
- Dealing with any legal issues that may arise
- Identifying, locating and distributing the balance of the estate to beneficiaries or intestate successors. A beneficiary is a person named in a will to receive all or part of an estate or people who have an interest in a trust that was created by a will

If an intestate successor (heir) is a minor

To make sure that the minor's rights are protected, anyone who applies for a grant of probate or administration of the estate must notify the minor's guardian and the PGT. For more information, see the [Protective Services](#) page on our website.

If an intestate successor (heir) is mentally incapable

To make sure that the rights of an adult who is, or may be mentally incompetent, are protected, anyone who applies for a grant of probate or administration must notify the committee and the PGT. If a committee has not been appointed, notice must be provided to the PGT and the adult.

When to make a referral to the PGT

A referral can be made to the PGT in the following situations:

- If the PGT is named as the executor in the deceased person's will

- If there is no suitable person willing or able to handle the administration of an estate, we may consider requests to administer an estate. Where possible, those entitled to administer an estate should be contacted first

We make an assessment to determine if our services are needed. We do not administer all estates that are referred to us.

We do not administer estates if the value of the estate's assets are not sufficient to pay funeral costs and PGT fees.

If there is no executor or next of kin willing to make funeral arrangements and the PGT is not administering the estate, we make a referral to the [Funeral Services Program](#). This program may provide financial assistance with funeral costs and authorize funeral arrangements when necessary.

It is also important to note that:

- The court cannot appoint the PGT as administrator without our prior written consent
- We usually require the consent of all or the majority of the beneficiaries or heirs, where they are known. A beneficiary is a person named in a will to receive all or part of an estate or people who have an interest in a trust that was created by a will

Please note that the PGT does not have any role in resolving disputes between family members or close friends about who should administer an estate.

Who can refer an estate to the PGT?

Any person that becomes aware that there is an estate that needs to be administered can make a referral.

The most common sources of referrals are coroners, hospital or community social workers, family members, executors and beneficiaries.

How to make a referral to the PGT

To make a referral to the PGT, see our website's Referrals section and select the Estate and Personal Trust Services form. When you complete the referral, please provide as much information as you can about the estate. The more information you provide will help us make a timely decision if we can administer the estate.

Naming the PGT as your executor

If you wish to name the PGT as executor, please contact us before you finalize your will. You can contact us at estates@trustee.bc.ca or at 604-660-4444 and ask to speak to the Manager, Quality Assurance in Estate and Personal Trust Services (or EPTS).

Contact the Public Guardian and Trustee

Estate and Personal Trust Services

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

Phone	604-660-4444
Fax	604-660-0964
Email	estates@trustee.bc.ca
Website	www.trustee.bc.ca

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.

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

PGT hours of operation

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