

**Plan for Guardianship: Property Guardian**

**Adult Guardianship Act, section 5 (2) (b)**

Applicants for the appointment of a property guardian must complete this plan.

(“Adult” refers to the person for whom the application is being made.).

[STYLE OF CAUSE]

**Adult’s Personal Information**

Name of adult for whom you are applying to be guardian (please use full legal name)

Adult’s date of birth

Current address for adult

**Adult’s Family Information**

Relationships:

Spouse: name  
length of marriage  
address

Children: name  
age  
address

(Complete for each child)

Parent(s): name  
age  
address

(Complete for each parent)

Brother(s) and sister(s): name  
age  
address

(Complete for each sibling)

Other near relatives actively involved in the adult’s life:

name  
age  
address  
(Complete for each relative.)

### **Information about Proposed Guardian(s)**

Include the following information for each proposed property guardian:

Name

Address, telephone, email address

Preferred method of contact

If more than one property guardian is proposed, indicate whether the property guardians will have the same or different areas of authority. If different, outline the proposed division of duties between the guardians.

## **Description of Adult's Assets, Income, Liabilities and Expenses**

### **Assets and Income of Adult**

1. Please complete the following information for each asset or source of income of the adult.
2. Please include N/A for those assets in which the adult has no interest.
3. If an asset is jointly held, please indicate whether the joint holder has signing authority only concerning the asset or is a co-owner of the asset.

#### **A. Real Property (e.g., land, including strata-titles, life estates, leaseholds, time shares)**

Street address, full legal description

Nature of adult's use of this property

Value (indicate if assessed or market value)

Encumbrances against property

Outline your plan for management of the property and the reason for any proposed transaction.

B. Personal Property

Give a general description, estimated market value and your intended action for each category of item (e.g., sell at market value, store, maintain item with adult), and the reason for this intended action:

Motor vehicles, including boats

Mobile homes

Jewellery

Art

Antiques

Other

C. Sources of Income

List the sources of income for the adult and the current annual value:

Annuities

Pensions

Employment

Rental

Other

D. Investments

Identify the items owned by the adult (solely or jointly), the institution holding the investment, the account number and the current value:

Cash

Chequing accounts

Savings accounts

GIC/Term deposits

RSPs

RIFs

Stocks

Bonds

Shares

Debentures

Other

Outline your proposed method of management, including any plan to reinvest an asset or encroach into capital to support the adult.

E. Interests in Estates and Trusts

Name and describe the adult's entitlement to any interest in a discretionary or non-discretionary trust.

F. Accounts Receivables (debts owing to adult)

Give the particulars of each account receivable and the amount owing to the adult.

Describe your proposed collection plan for these funds.

G. Business Interests

Describe the adult's ownership in a company, unincorporated proprietorship or partnership.

What is your intended plan of management (e.g., retain individuals to manage the company, sell shares or the underlying assets of the business, dissolve or wind up the business).

H. Miscellaneous Assets of Value

Please list and indicate your intended plan of management for these assets.

**Liabilities and Expenses of Adult**

Please include N/A for those liabilities and expenses that do not apply to the adult.

I. Expenses of adult

List the proposed estimated annual expenses to be made for the adult:

Living arrangements

Personal care services

Lifestyle activities

J. Liabilities of adult

Identify any debt owed by the adult (solely or jointly), the institution or individual to whom the debt is owing and the current value of the debt:

Mortgages

Credit card debt

Loans

Income tax

Property tax

Court ordered payments

Other

Outline your proposed method of payment or settlement of these debts.

## Instructions or Wishes

K. Outline any instructions or wishes the adult expressed while capable in relation to the assets, income, liabilities and expenses of the adult. Please attach copies of any written instructions made by the adult.

## Professional Assistance

L. If you intend to retain the services of professionals to assist in decision-making, outline the professional(s) to be retained and the matters for which assistance will be provided.

## Litigation

L. Litigation

Describe any legal proceedings, both criminal and civil, in which the adult is a party. State the current status of the proceedings.

Indicate any legal proceedings in which the proposed guardian and the adult are both parties.

## General Summary of Your Guardianship Plan

1. Describe how you intend to manage the adult's financial affairs in order to meet your duty under section 21 (2) of the *Adult Guardianship Act*.
2. Do you anticipate making gifts, loans or charitable gifts on behalf of the adult, including by providing financial support for an adult family member or other adult? If yes, please outline the following:
  - a) reasons for these expenditures, including the adult's past practice of gift giving;
  - b) whether any of the above gifts, loans or charitable gifts are a direct or indirect payment to you or to a person to whom you are related or with whom you live.
3. Do you intend to take remuneration for acting as the adult's property guardian? If yes, do you intend to take remuneration in the prescribed amount or some other amount? If some other amount, what amount of remuneration are you seeking?

4. Are you aware of any representation agreement, advance directive, or guardianship plan relating to the personal care of the adult? If yes, describe how you have taken into account any plans for the personal care or health care of the adult.
5. Please indicate how you intend to give priority when managing the adult's financial affairs to meeting the personal care and health care needs of the adult.

CONSULTATION DRAFT