

Courts of Justice Act

BOND - PERSONAL SURETIES

ONTARIO

SUPERIOR COURT OF JUSTICE

BOND NO.

AMOUNT: \$

IN THE ESTATE OF (insert name), deceased.

The principal in this bond is (insert name)

The sureties in this bond are(insert names)

The obligee in this bond is the Accountant of the Superior Court of Justice acting for the benefit of creditors and persons entitled to share in the estate of the deceased.

The principal and the sureties bind themselves, their heirs, executors, successors and assigns jointly and severally to the Accountant of the Superior Court of Justice in the amount of _____ Dollars (\$_____).

The principal as an estate trustee is required to prepare a complete and true inventory of all the property of the deceased, collect the assets of the estate, pay the debts of the estate, distribute the property of the deceased according to law, and render a complete and true accounting of these activities when lawfully required.

The primary obligation under this bond belongs to the principal. The principal is liable under this bond for any amount found by the court to be owing to any creditors of the estate and persons entitled to share in the estate to whom proper payment has not been made.

The sureties, provided they have been given reasonable notice of any proceeding in which judgment may be given against the principal for failure to perform the obligations of this bond shall, on order of the court, and on default of the principal to pay any final judgment made against the principal in the proceeding, pay to the obligee the amount of any deficiency in the payment by the principal, but the surety shall not be liable to pay more than the amount of the bond.

The amount of this bond shall be reduced by and to the extent of any payment made under the bond pursuant to an order of the court.

The sureties are entitled to an assignment of the rights of any person who receives payment or benefit from the proceeds of this bond, to the extent of such payment or benefit received.

DATE

SIGNED, SEALED AND DELIVERED

in the presence of:

Principal

Surety

Surety

AFFIDAVIT OF SURETY

I, (insert name), of (insert city or town and county or district, metropolitan or regional municipality of residence), make oath and say/affirm:

I am a proposed surety on behalf of the intended estate trustees of the property of (insert name), deceased, named in the attached bond.

I am eighteen years of age or over and own property worth \$_____ over and above all encumbrances, and over and above what will pay my just debts and every sum for which I am now bail or for which I am liable as surety or endorser or otherwise.

SWORN/AFFIRMED BEFORE)
)
me at the _____ of _____)
in the _____ of _____)
this _____ day of _____, 20____.)
)
)

A Commissioner for Taking Affidavits (or as may be)

AFFIDAVIT OF SURETY

I, (insert name), of (insert city or town and county or district, metropolitan or regional municipality of residence), make oath and say/affirm:

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I am eighteen years of age or over and own property worth \$_____ over and above all encumbrances, and over and above what will pay my just debts and every sum for which I am now bail or for which I am liable as surety or endorser or otherwise.

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in the _____ of _____)
this _____ day of _____, 20____.)
)
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A Commissioner for Taking Affidavits (or as may be)