

FORM 74.49.3
Courts of Justice Act

ONTARIO
SUPERIOR COURT OF JUSTICE

IN THE ESTATE OF *(insert name)*, deceased.

REQUEST FOR INCREASED COSTS (PERSON OTHER THAN ESTATE TRUSTEE)

1. I, *(insert name)*, have retained *(insert name)* as my lawyer to review the estate accounts. I have no objection to the estate accounts or to the claim for compensation by the estate trustee.

2. I request that I be awarded costs payable out of the estate in the amount of \$ _____, in addition to the cost of attendance at a hearing, if required, which is greater than \$ _____, being one-half the amount payable to the estate trustee under Tariff C. I understand that this request may require a hearing on the date specified in the notice of application, in the discretion of the presiding Judge.

DATE

(Name, address and telephone number of person or person's lawyer)

TO: *(Name and address of every other person with a financial interest in the estate)*

(For a person under disability, also indicate name and address of personal representative)

(Name and address of estate trustee or lawyer for estate trustee)

Response by Estate Trustee or person with a financial interest in the estate:

(A) I object to this request for increased costs, for the following reasons:

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OR:

(B) I consent to this request for increased costs.

Date:

Signature of person listed above

Any person with a financial interest in the estate who wishes to object or consent to a request for increased costs shall do so by returning the completed form 74.49.3 to the person making the request so that such person receives it at least 12 days before the date fixed for the hearing in the Notice of Application to Pass Accounts.

The person making the request for increased costs shall, at least 10 days before the date fixed for the hearing, file with the court a supplementary record described in subrule 74.18 (11.3) containing (i) the documents served under subrule 74.18 (11.1), together with an affidavit of service of those documents, (ii) an affidavit containing a summary of the responses to the request for increased costs and a list of persons who failed to respond, and (iii) the factors that contributed to the increased costs.