

In the matter of the Estate of *[name]*

Deceased

Application by *[name]*

Plaintiff(s)

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**AFFIDAVIT**

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Date of document:

Filed on behalf of the plaintiff.

Prepared by: *[Name and address  
of lodging party]*

Ref:

DX:

CODE: *[solicitor code]*

Tel: *[number]*

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I, *[name]* of *[address]* Victoria make oath and say that:

1. I am the abovenamed plaintiff.
2. I am seeking to obtain Letters of Administration of the estate of the abovenamed *[name]* late of *[address]* Victoria, deceased.
3. I am over the age of 18 years.
4. The deceased died on *[date]* leaving property in Victoria; and I believe the deceased is *[name as set out in certificate of registration of death]* referred to in the certified copy of the death registration now produced and shown to me marked "A".
5. The deceased was a *[marital status of deceased e.g. bachelor, widower or as the case may be]* at the date of death.
6. The only persons entitled by law to share in the estate of the deceased are *[include relationship of those entitled to share]*:
7. I am the *[basis of entitlement e.g. son, mother, or as the case may be]* of the deceased and as such claim to be entitled to administration of the estate.
8. I have made careful enquiry and search but am unable to find any Will of the deceased.
9. The deceased left:

Real estate in Victoria to the value of	\$ <i>[amount]</i>
Personal estate in Victoria to the value of	\$ <i>[amount]</i>
Real estate elsewhere to the value of	\$ <i>[amount]</i>
Personal estate elsewhere to the value of	\$ <i>[amount]</i>
Liabilities totalling	\$ <i>[amount]</i>
10. Now produced and shown to me marked "B" is the Inventory of such assets and liabilities.
11. Those entitled to share in the estate who are under 18 years or are otherwise not capable of managing their own affairs are: *[name]*

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12. No other application has been made by me for a grant of probate or administration in respect of the estate of the abovenamed deceased.
13. The deceased did not leave/did leave *[strike out inapplicable phrase]* a person who at the time of the death of the deceased was a domestic partner living with the deceased as a couple on a genuine domestic basis *[irrespective of gender]*
14. If I obtain Letters of Administration of the Estate I undertake to the Court that I will:
  - (a) well and truly collect and administer the estate of the deceased according to law;
  - (b) if required by the Court or by the Registrar, make and file or cause to be made and filed in the Court, a true and just account of the administration of the estate; and
  - (c) if required by the Court, deliver up the grant to the Court.

Sworn by  
the deponent  
at *[place]*  
on *[date]*

\_\_\_\_\_  
Plaintiff

Before me: \_\_\_\_\_  
Witness Full Name  
Address  
Qualification  
  
\_\_\_\_\_  
  
\_\_\_\_\_