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QUESTIONNAIRES FOR LAST WILL AND TESTAMENT, POWER OF ATTORNEY FOR PROPERTY AND POWER OF ATTORNEY FOR PERSONAL CARE

PLEASE NOTE THAT MCGUINTY LAW OFFICES IS NOT RETAINED MERELY BY VIRTUE OF YOU FILLING OUT AND/OR SUBMITTING THESE QUESTIONNAIRES

PLEASE FILL OUT ONE QUESTIONNAIRE PER PERSON

Table of Contents

	С	LIENT QUESTIONNAIRE FOR LAST WILL AND TESTATMENT	2
:	1.	ABOUT MYSELF	2
:	2.	ABOUT MY CHILDREN	5
;	3.	EXECUTORS	6
	4.	PERSONAL PROPERTY	7
!	5.	CASH LEGACIES	8
(6.	RESIDUE	10
	7.	CHILDREN AND GRANDCHILDREN'S TRUST	14
:	8.	LEGAL GUARDIANS	15
9	9.	BENEFICIARIES WITH DISABILITIES	16
:	10.	DESIGNATING BENEFICIARIES	18
I.	С	LIENT QUESTIONNAIRE FOR POWER OF ATTORNEY FOR PROPERTY	19
II.		CLIENT QUESTIONNAIRE FOR POWER OF ATTORNEY FOR PERSONAL CARE	21
SCI	HED	DULE "A"	23

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I. CLIENT QUESTIONNAIRE FOR LAST WILL AND TESTATMENT

1.	ABOUT MY	'SELF			
i.	Identit	Y			
1.	Full Legal Name:				
2.	Other r	names you go by:			
3.	Addres	s:			
4.	Email:				
5.	Phone	numbers:			
	a.	Home:			
	b.	Work:			
	C.	Cell:			
6.	Marital	Status			
		☐ Single			
		☐ Married	Marriage Contract: ☐ YES ☐ NO		
		☐ Common-law	Cohabitation Agreement: ☐ YES ☐ NO		
			Spouse's Full Legal Name:		
		\square Separated	Since:		
		\square Divorced	Separation Agreement: ☐ YES ☐ NO		
		☐ Widowed	Court Order: ☐ YES ☐ NO		

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ii.	Poss	sible tax saving opportunities					
	1.	Do you have an interest in a company, partnership or sole proprietorship? \Box YES \Box NO					
		a. Details (jurisdiction, directors, shareholders, etc.):					
	2.	Do you own any art, jewelry, stamp collections, etc. of great value? $\ \square$ YES $\ \square$ NO					
		a. Details:					
iii.	Gen	etic reproductive material					
	1.	Do you own any genetic reproductive material that is being stored by you or by a third					
	party i.e. sperm, ova, embryo or other human cell or human gene? $\ \Box$ YES $\ \Box$ NO						
		a. Details:					
	2.	Embryo: do you have an agreement in place with another party whose genetic material					
		was used to create an embryo with your genetic material? $\;\square$ YES $\;\square$ NO $\;\square$ N/A					
		a. Details:					
	3.	Sperm: do you have an agreement in place with another party regarding the ownership					
		of your stored sperm? \square YES \square NO \square N/A					
		a. Details:					
	4.	Ova: do you have an agreement in place with another party regarding the ownership of					
		your stored ova? \square YES \square NO \square N/A					
		a. Details:					
iv.	Inte	rnational Will					
	1.	Do you own property outside of Canada? \square YES \square NO					
		a. Jurisdiction:					
		b. Type of asset, i.e. real estate, etc.:					
		c. Other details:					
	2. 1	Might you inherit property outside Canada? \square YES \square NO					
		a. Jurisdiction:					
		b. Type of asset, i.e. real estate, etc.:					
		c. Other details:					
v.	Wills	s outside of Ontario					
	1. I	Do you have a Will outside of Ontario? \square YES \square NO					
		a. Jurisdiction:					
vi.	Deb	ts owed to you at death					
	1. I	Does someone who will be a beneficiary in your Will currently owe a debt to you?					
		a. 🗆 YES 🗆 NO					
	2. I	If yes, would you like that person's gift to be reduced by the amount of debt he or she owes					
	Y	you at the time of your death? ☐ YES ☐ NO ☐ N/A					

1.	If you intend to gift a particular asset, ex. RRSP/RRIF, Real Estate, etc., who is to pay the tax
	on that gift? \square N/A \square my estate \square the recipient of said gift

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2. ABOUT MY CHILDREN

Full legal name	Date of birth	In my care?	Financially independent?	Monthly assistance from me
		□Yes □No	□Yes □No	
		□Yes □No	□Yes □No	
		□Yes □No	□Yes □No	
		□Yes □No	□Yes □No	
		□Yes □No	☐Yes ☐No	
OTHER DEDENDANTS		la res allo		
3. OTHER DEPENDANTS		Пез шко		
	Date of birth	In my care?	Financially independent?	Amount o monthly assistance from me
□ N/A	Date of birth		Financially	monthly assistance
□ N/A	Date of birth	In my care?	Financially independent?	monthly assistance
□ N/A	Date of birth	In my care?	Financially independent?	monthly assistance

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3. EXECUTORS

My Executor, also called my Estate Trustee, is the person who will act on my behalf to administer my Estate and carry out my wishes, as set out in my Last Will and Testament.
Step 1 of 2: Choose how your executors will be appointed from among the following options
\Box Option 1
Primary and back-up executors
I choose a primary executor (Executor 1) who will act alone, and a back-up executor (Executor 2) who wact alone if my primary executor is unable or unwilling to act as my executor.
□ <u>Option 2</u>
Jointly
I choose two executors (Executor 1 and Executor 2) who must act together at all times when making decisions about my estate.
\Box Option 3
Jointly and Severally
I choose two executors (Executor 1 and Executor 2), and they may act together or each executor may a on his or her own.
Step 2 of 2: Name your executors
1. Full Legal Name of Executor 1:
a. Other names this person goes by:
b. Relationship, i.e. this person is my:
2. Full Legal Name of Executor 2:
a. Other names this person goes by:

b. Relationship, i.e. this person is my:

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4. PERSONAL PROPERTY

What would	you like to do with your household contents, yard contents, boats and automobiles when you pass away?
	To spouse : to my spouse if s/he survives me, but if s/he does not survive me, then my Trustee may dispose of my personal property as s/he sees fit. If s/he sells any item, the proceeds go to the residue of my estate
	To spouse, if not, to children : Give it all to my spouse, but if she doesn't survive me, to my children as they may agree (if applicable). If my children can't agree on any item, my Trustee may dispose of it as s/he sees fit. If s/he sells any item, the proceeds go to the residue of my estate.
	\square I have minor children
	To children: Give it to my children as they may agree
	\square I have minor children
	To only child: Give it to my only child
	\square My child is a minor
	Executor decides : My Trustee may dispose of my personal property as s/he sees fit. If s/he sells any item, the proceeds go to the residue of my estate
	Precatory memorandum : I wish to leave a non-binding memorandum stating to whom I would like to give specific objects, such as jewelry, paintings, etc., after my death. The memorandum must be dated, signed, completely in my own handwriting, titled "Precatory Memorandum" and filed among my personal papers or with my Will. A precatory memorandum is not a Will.

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5. CASH LEGACIES

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A.

You may leave cash legacies, i.e. cash gifts, which are distributed once your debts, taxes, funeral and testamentary expenses are paid. You may leave cash legacies to people (section A. below) and to charities (section B. below).

	Cash Legacies to people:			
□ N/A				
1.	Cash Legacy #1:			
	i. Amount:			
	ii. Beneficiary's full legal name:			
	iii. Your relationship to the beneficiary, i.e. s/he is my:			
2.	If the beneficiary of your first cash legacy dies before you do, what would you like to do with			
	the gift? Please select one of the following answers			
	a. \square Put it back into the residue of my estate			
	b. \Box Give it the beneficiary's children in equal shares, and if any of his or her			
	children have passed, then that child's share goes to his or her children			
	equally, and so on			
	c. \square Give it to a back-up beneficiary			
	1. Full legal name of back-up beneficiary 1:			
	2. Your relationship to back-up beneficiary 1, i.e. s/he is my:			
	3. If back-up beneficiary 1 dies before you do, what would you like to do with			
	the gift? Please select one of the following answers			
	a. \square Put it back into the residue of my estate			
	b. \Box Give it to the beneficiary's children in equal shares, and if			
	any of his or her children have passed, then that child's			
	share goes to his or her children equally, and so on			

Please copy and paste sections 1. to 2. above for additional cash legacies

Cash Legacies to Charities:

В.

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		□ N/A
1.	Charitable C	ash Legacy #1:
	i.	Amount:
	ii.	Organization's full legal name:
	iii.	Charitable registration number:

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6. RESIDUE

Your estate is divided as you choose after cash legacies, debts, taxes, funeral and testamentary expenses are paid
Step 1 of 2: Choose how your estate will be divided from among the following options
□Option 1
To my spouse or partner who survives me; if not, to my issue in equal shares per stirpes
Residue goes to my spouse, but if my spouse does not survive me, it goes to my children in equal shares; and if any of my children do not survive me, then that deceased child's share goes to his or her children in equal shares, and so on.
□Option 2
To my issue in equal shares per stirpes
Residue goes to my children in equal shares; and if any of my children does not survive me, then that deceased child's share goes to his or her children in equal shares, and so on.
□Option 3
Divide the residue of my estate among specific beneficiaries

Residue goes to specific beneficiaries in equal shares, or in shares each with a proportion that you decide (i.e. 20%, 20%, 60%).

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Step 2 of 2: If you chose Option 1, please proceed to section 7. If you chose Option 2 or 3, please name your beneficiaries below

Beneficiary 1

1.	Full legal name of beneficiary 1:	
2.	Your relationsh	nip to beneficiary 1, i.e. s/he is my:
3.	If beneficiary 1	dies before you do, what would you like to do with the gift? Please select one of inswers
	1.	\square Put it back into the residue of my estate
	2.	☐ Give it equally to the beneficiary's children in equal shares, and if any of his or her children have passed, then that child's share goes to his or her children equally, and so on. If the beneficiary does not have children at the time of your death, then his or her share goes back into the residue of your estate.
	3.	☐ Give it to a back-up beneficiary
		Full legal name of back-up beneficiary:
		2. Your relationship to back-up beneficiary, i.e. s/he is my:
		3. If the back-up beneficiary dies before you do, what would you like to do with the gift? <i>Please select one of the following answers</i>
		a. \square Put it back into the residue of my estate
		b. Give it equally to the beneficiary's children in equal shares, and if any of his or her children have passed, then that child's share goes to his or her children equally, and so on. If the beneficiary does not have children at the time of your death, then his or her share goes back into the residue of your estate.

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Beneficiary 2

1.	Full legal name of beneficiary 2:		
2.	Your relationship to beneficiary 2, i.e. s/he is my:		
3.	If beneficiary 2 the following o	dies before you do, what would you like to do with the gift? Please select one of answers	
	1.	☐ Put it back into the residue of my estate	
	2.	☐ Give it equally to the beneficiary's children in equal shares, and if any of his or her children have passed, then that child's share goes to his or her children equally, and so on. If the beneficiary does not have children at the time of your death, then his or her share goes back into the residue of your estate.	
	3.	☐ Give it to a back-up beneficiary	
		Full legal name of back-up beneficiary:	
		2. Your relationship to back-up beneficiary, i.e. s/he is my:	
		a. If the back-up beneficiary dies before you do, what would you like to do with the gift? Please select one of the following answers	
		b. ☐ Put it back into the residue of my estate	
		c. ☐ Give it equally to the beneficiary's children in equal shares, and if any of his or her children have passed, then that child's share goes to his or her children equally, and so on. If the beneficiary does not have children at the time of your death, then his or her share goes back into the residue of your estate.	

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Beneficiary 3

1.	Full legal name of beneficiary 3:		
2.	Your relationship to beneficiary 3, i.e. s/he is my:		
3.	dies before you do, what would you like to do with the gift? Please select one of nswers		
	1.	\square Put it back into the residue of my estate	
	2.	☐ Give it equally to the beneficiary's children in equal shares, and if any of his or her children have passed, then that child's share goes to his or her children equally, and so on. If the beneficiary does not have children at the time of your death, then his or her share goes back into the residue of your estate.	
	3.	☐ Give it to a back-up beneficiary	
		Full legal name of back-up beneficiary:	
		2. Your relationship to back-up beneficiary, i.e. s/he is my:	
		a. If the back-up beneficiary dies before you do, what would you like to do with the gift? Please select one of the following answers	
		b. \square Put it back into the residue of my estate	
		c. Give it equally to the beneficiary's children in equal shares, and if any of his or her children have passed, then that child's share goes to his or her children equally, and so on. If the beneficiary does not have children at the time of your death, then his or her share goes back into the residue of your estate.	

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7. CHILDREN AND GRANDCHILDREN'S TRUST

If any minor child or grandchild of yours may be entitled to a gift from your estate while still a minor, your executors will be required to hold that interest in trust. If so, you may decide what age that minor child or grandchild of yours must reach in order to receive that gift.

1.	Is a trust for minors required? \square Yes \square No				
	a. If yes, at what age will the beneficiary receive his or her gift?				
2.	. Trustees for this Trust:				
	a. Same as my Estate Trustees \square Yes \square No				
	b. If yes, please proceed to section 8				
	c. If no, please select one of the following:				
	i. \Box I appoint a Special Trustee and a back-up special trustee				
	ii. □I appoint two Special Trustees jointly				
	iii. □I appoint two Special Trustees jointly and severally				
	1. Full legal name of Special Trustee 1:				
	2. Your relationship to Special Trustee 1, i.e. s/he is my				
	3. Full legal name of Special Trustee 2:				
	4. Your relationship to Special Trustee 2, i.e. s/he is my				

	8. LEGAL GUARDIANS				
	□ N/A				
pred	ardian of minor children is the person(s) who will care for my children should I or my spouse and I ecease them while they are under the age of eighteen. Typically, people choose one person or a ied/common law couple. You may choose a substitute guardian (i.e. in the form of a person or a married/common law couple).				
Ste	ep 1 of 2: Choose how your Guardians will be appointed from among the following options				
	□Option 1				
	I appoint two (2) people as Legal Guardians (Legal Guardian 1 and Legal Guardian 2)				
	□Option 2				
I appoir	nt a Primary Legal Guardian (Legal Guardian 1) and a Substitute Legal Guardian (Legal Guardian 2) who will act only if my Primary Legal Guardian cannot				
	Step 1 of 2: Choose your Guardians				
1.	Full legal name of Legal Guardian 1:				
2.	Your relationship to Legal Guardian 1, i.e. s/he is my:				
3.	Full legal name of Legal Guardian 2:				
4.	Your relationship to Legal Guardian 2, i.e. s/he is my:				

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9. BENEFICIARIES WITH DISABILITIES

If any beneficiaries with disabilities may be entitled to a gift from your estate, a Henson Trust can be created to hold their interest for them.

1.	Is a trust for disabled beneficiaries required? \square Yes \square No				
2.	Disabled beneficiary's full legal name:				
3.	Your relationship to disabled beneficiary, i.e. s/he is my:				
1.	Truste	rustees for this Trust:			
	i.	Same as my Estate Trustees \square Yes \square No			
	ii.	If yes, please proceed to section 10.			
	iii.	If no, please select one of the following:			
		1. □I appoint a Special Trustee and a back-up special trustee			
		2. □I appoint two Special Trustees jointly			
		3. \Box I appoint two Special Trustees jointly and severally			
		a. Full legal name of Special Trustee 1:			
		b. Your relationship to Special Trustee 1, i.e. s/he is my			
		c. Full legal name of Special Trustee 2:			
		d. Your relationship to Special Trustee 2, i.e. s/he is my			
5.	Who shall receive the trust income after the maximum period allowed by law for accumulating income in a Trust? Please select the option that applies.				
	i. \square Give it to the beneficiary				
	ii. Give it equally to the beneficiary's children in equal shares, and if any of his or he children have passed, then that child's share goes to his or her children equally, and on. If the beneficiary does not have children at the time of your death, then his or he share goes back into the residue of your estate.				

	OR		
	iii.	a.	☐ A substitute beneficiary Full legal name of substitute beneficiary for the trust funds:
		b.	Your relationship to substitute beneficiary, i.e. s/he is my:
	OR		
	iv.		☐ The residue of your estate
ō.	То	who	om do you wish the balance of the trust funds to go when the disabled beneficiary dies?
		i.	☐ Give it equally to the beneficiary's children in equal shares, and if any of his or her children have passed, then that child's share goes to his or her children equally, and so on. If the beneficiary does not have children at the time of your death, then his or her share goes back into the residue of your estate.
		OR	
		ii.	☐ Another beneficiary:
		a.	Full legal name of substitute beneficiary for the trust funds:
		b.	Your relationship to substitute beneficiary, i.e. s/he is my:
		OR	
		iii.	\square The residue of your estate

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Accounts

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10. DESIGNATING BENEFICIARIES

You should consider designating beneficiaries for any and all plans that allow for such option as part of a complete estate plan. You should consult with your financial advisor before doing so.

I will de	esignate or have designated beneficiaries for my:			
	Life Insurance(s)			
	Segregated funds			
	Note to lawyer: segregated funds are an insurance product and their designations are not revoked by the general dispositive provisions in a Will, nor by the standard revocation clause in Insurance Declarations. Therefore: i) The client may not know about segregated funds they have so make sure to ask them and ii) if they wish to change their beneficiary designations for segregated funds, this should be done at their financial institution, not by way of an Insurance Declaration).			
	TFSA(s) (Tax Free Savings Account)			
	RRSP(s) (Registered Retirement Savings Plan)			
	RRIF(s) (Registered Retirement Income Fund)			
	Pension(s)			
	Pension Death Benefit(s)			
	Other Investments: Click here to enter text.			
Real Es	<u>tate</u>			
Select o	only the option that applies			
	I have verified that all of my real estate is held solely, in joint tenancy, or as tenants-in-common, according to my intentions			
	I authorize McGuinty Law Offices to search the title of my real estate at its standard rates: Address:			
	Address:			
	Dated at Ottawa, Ontario this day of,			
	Signature			

Please fill out Schedule "A" to the best of your ability to help our lawyers give you sound estate planning advice.

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II. CLIENT QUESTIONNAIRE FOR POWER OF ATTORNEY FOR PROPERTY

1. LEGAL ATTORNEYS FOR PROPERTY

Step 1 of 2: Choosing how your Legal Attorneys will be appointed

Who will make decisions on my behalf with respect to my property, including managing my bank accounts, investments, real estate and other possessions, paying my bills, etc. in the event that I am not capable of doing so?

☐ <u>Option 1</u>					
Same as Executors					
I would like my selection of Legal Attorneys for Property to be the exact same as my selection of Executors.					
□ Option 2					
Primary and back-up Legal Attorneys					
choose a primary Legal Attorney who will act alone, and a back-up Legal Attorney who will act alone if my primary Legal Attorney is unable or unwilling to act as my Legal Attorney.					
□ Option 3					
Jointly					
My Legal Attorneys must act together at all times when making decisions about my property.					
□ <u>Option 4</u>					
Jointly and Severally					

I choose two Legal Attorneys, and they may act together or each Legal Attorney may act alone.

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Step 2 of 2: Naming my Legal Attorneys

	1.	Full legal name of Legal Attorney 1:
	2.	Your relationship to Legal Attorney 1, i.e. s/he is my:
	3.	Full legal name of Legal Attorney 2:
	4.	Your relationship to Legal Attorney 2, i.e. s/he is my:
2.	RES	STRICTIONS ON MY LEGAL ATTORNEY FOR PROPERTY
۱w	ould	l like the following restriction in my Power of Attorney:
du wr ph the On	ring itten ysici Pro tario	Intinuing Power of Attorney for Property may only be exercised during any period or periods which I am incapable of managing my property. If my capacity to manage my property is in issue, a confirmation from my family physician or, if I do not have a family physician, or my family an cannot be reached, then written confirmation from a medical doctor licensed to practice in evince of Ontario, or a Designated Capacity Assessor licensed to practice in the Province of the property, that I am incapable of managing my property, shall be sufficient proof for all persons dealing y attorney, that I am incapable of managing my property.
		□ YES □ NO
C.		Special restriction(s) and/or condition(s)

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III. CLIENT QUESTIONNAIRE FOR POWER OF ATTORNEY FOR PERSONAL CARE

1. LEGAL ATTORNEYS FOR PERSONAL CARE

Step 1 of 2: Choose how your Legal Attorneys will be appointed

Who will make decisions on my behalf regarding my well-being in the event I lack the mental capacity to do so myself, including decisions about my medication, antibiotics, pain relief, health care and long-term care facilities, operations, etc.?

care judinites, operations, etc
□ Option 1
Same as Legal Attorneys for Property
I would like my selection of Legal Attorneys for Personal Care to be the exact same as my selection of my Legal Attorneys for Property.
□ Option 2
Primary and back-up Legal Attorneys
I choose a primary Legal Attorney who will act alone, and a back-up Legal Attorney who will act alone if my primary Legal Attorney is unable or unwilling to act as my Legal Attorney.
□ Option 3
Jointly
My Legal Attorneys must act together at all times when making decisions about my well-being.
□ Option 4

Jointly and Severally

I choose two Legal Attorneys, and they may act together or each Legal Attorney may act alone.

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Step 2 of 2: Naming my Legal Attorneys

	1.	Full legal name of Legal Attorney 1:
	2.	Your relationship to Legal Attorney 1, i.e. s/he is my:
	3.	Full legal name of Legal Attorney 2:
	4.	Your relationship to Legal Attorney 2, i.e. s/he is my:
2.	RES	STRICTIONS ON MY LEGAL ATTORNEY FOR PERSONAL CARE
۱w	ould	l like the following restriction in my Power of Attorney:
att rev agg my	endi erse gress hea	y time I should have a medical condition that would indicate that I am terminally ill and my ing physician has determined that my death is imminent and that my condition cannot be ed by treatment, I direct my attorney to instruct the physician attending me not to prolong my life sively by surgery, the use of drugs, antibiotics or other means, nor to attempt to resuscitate me if art or lungs fail, and to confine his/her treatment to alleviating or relieving as much as possible in or suffering I might have.
		□ YES □ NO
C.		Special restriction(s) and/or condition(s)

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SCHEDULE "A"

1. FINANCIAL INFORMATION

I understand that providing personal and financial information is recommended by my lawyer but is optional. I understand my lawyer is relying on the information I provide when he/she provides legal advice and recommendations and drafts my Last Will and Testament and my Powers of Attorney.

A. Assets

Investment	Approximate Value (Optional)	Beneficiaries
Life Insurance	,	Designated beneficiary's/ies' full legal name(s):
□ Term □ Whole Life		
RRSP/RRIF		Designated beneficiary's/ies' full legal name(s):
GICs		Designated beneficiary's/ies' full legal name(s):
Other investments:		Designated beneficiary's/ies' full legal name(s):
Bank Accounts		Joint title owner's full legal name(s):
☐ Owned solely		
□ Owned jointly		
		1

Bank Accounts	Joint title owner's full legal name(s):
☐ Owned solely	
☐ Owned jointly	
Bank Accounts	Joint title owner's full legal name(s):
☐ Owned solely	
☐ Owned jointly	
Bank Accounts	Joint title owner's full legal name(s):
☐ Owned solely	
☐ Owned jointly	
TFSA	Designated beneficiary's/ies' full legal name(s):

Real Estate	Joint title owner's/owners' full legal name(s):
☐ Owned solely	
☐ Owned jointly	
☐ Principal residence	
Address:	
Real Estate	Joint title owner's/owners' full legal name(s):
☐ Owned solely	
☐ Owned jointly	
Address	
Real Estate	Joint title owner's/owners' full legal name(s):
☐ Owned solely	
☐ Owned jointly	
Address	

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B. Liabilities

Debt	Amount
Mortgage	
Mortgagee (lender):	
Mortgagor(s) (borrower):	
Mortgage	
Mortgagee (lender):	
Mortgagor(s) (borrower):	
Wortgagor(s) (borrower).	
Line of Credit	Amount borrowed to date:
Lender:	
Borrower:	Amount of available credit:
As of what date:	
Line of Credit	Amount borrowed to date:
Lender:	
Borrower:	Amount of available credit:
As of what date:	

Credit Card	Paying interest only?
Credit Card Company:	□Yes □No
Borrower:	Paying entire principal every month?
	□Yes □No
Credit Card	Paying interest only?
Credit Card Company:	□Yes □No
Borrower:	Paying entire principal every month?
	□Yes □No
Credit Card	Paying interest only?
Credit Card Company:	□Yes □No
Borrower:	Paying entire principal every month?
	□Yes □No