



## Navigating the Complexities of Intestate Estates: The Estate of Glen Harold Radelet

**Legal Opinion and Case Summary:** *Estate of Glen Harold Radelet*, 2024 ONSC 1370

**Case Overview:** The Honourable Mr. Justice S.J. Wojciechowski of the Ontario Superior Court of Justice presided over the case concerning the Estate of Glen Harold Radelet, who passed away on November 26, 2023. This case underscores the meticulous process required for appointing an estate trustee in the absence of a will and the importance of following procedural rules to ensure the orderly administration of estates.

### Key Parties

- **Ryan Venn:** Applicant seeking appointment as Estate Trustee.
- **Alan Raymond Radelet:** Brother of the deceased and sole beneficiary, residing in British Columbia.

**Background:** Glen Harold Radelet died intestate (without a will), leaving no spouse or children. His only surviving relative is his brother, Alan Radelet, who resides in British Columbia. Alan has renounced his right to be the estate trustee and consented to Ryan Venn's appointment.

### Issues Addressed by the Court

**Appointment of Estate Trustee:** The applicant, Ryan Venn, sought to be appointed as the estate trustee due to concerns about the deceased's property and the urgency of addressing potential illegal activities by occupants [paras 9-10].

**Urgency and Special Circumstances:** The applicant argued that special circumstances justified bypassing the standard procedural requirements under [Rule 74 of the Rules of Civil Procedure](#) [paras 2-3].

### Court's Findings and Directions

**Denial of Urgent Application:** The court denied the application, emphasizing the need to follow the standard procedural process under Rule 74, which ensures proper notification and judicial oversight [paras 5, 30].

**Speculative Evidence:** The court found the evidence regarding the urgency and the nature of the property occupants to be speculative and based on hearsay [paras 12-24].



**Requirement for Standard Process:** The court directed that the applicant must file the appropriate documentation with the Estates Registrar to be appointed as the estate trustee [paras 15, 28].

**Relevant Statutes and Cases**

- *Estates Act, RSO 1990, c E21:* Governs the appointment of estate trustees and the administration of estates [paras 2, 8, 25].
- *Rules of Civil Procedure, Rule 74:* Sets out the standard process for applying for the appointment of an estate trustee [paras 3, 28].
- [\*Lagrandeur Estate \(Re\), 2021 ONSC 3447 \(CanLII\)\*](#): Cited for judicial discretion in appointing estate trustees under special circumstances [para 26].

**Conclusion:** This case underscores the importance of adhering to established legal procedures in estate administration, particularly when dealing with intestate estates. The decision illustrates the court's commitment to ensuring that all interested parties are properly notified and that the estate is managed in compliance with legal standards. For the full decision click [here](#).

**Contact Us:** Navigating the complexities of estate administration requires expert legal guidance. Our firm is dedicated to providing comprehensive support to ensure your estate planning and administration are handled with the utmost care and professionalism. Contact us today for a consultation.