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ASK THE PROFESSIONAL

Q

My husband recently passed away. I am the beneficiary of the estate, but the estate is small and a number of assets passed to others outside of the estate. The funeral and other expenses will use up a significant amount of the estate and I won't have much left. This doesn't seem fair.

A

As a spouse, you are recognized as a dependant. If your husband's Will fails to make adequate provisions for your support, you may make a claim for dependant support. The determination of the support amount is not simply a mathematical calculation of what you need to survive. The courts also consider the moral obligations of a person to provide for their dependants. The relevant legislation provides a lengthy list of factors that the courts consider in determining dependant support. Another very important aspect is that if the deceased did not adequately provide for his/her dependants within their estate, assets that passed outside the estate can be brought back into the estate for the purposes of dependant support. For example, if your husband had an insurance policy with a designated beneficiary other than you, the court has the jurisdiction to order the proceeds of the insurance policy paid to the estate for the purposes of your support. The same may apply to other assets that passed outside the estate. It is always important to get comprehensive estate planning advice in advance, however, if you are dealing with an estate issue, give us a call to set up a free ½ hour consultation. Enjoy the weekend.

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The advice offered in this column is intended for informational purposes only. Use of this column is not intended to replace or substitute any professional, financial, medical, legal, or other professional advice.

NEWS



Metroland file photo

A police officer inspects a commercial vehicle.

COMMERCIAL VEHICLE BLITZ YIELDS INSPECTION FAILURE RATE OF 30 PER CENT

A two-day commercial vehicle blitz conducted by Halton police and other police services has yielded an inspection failure rate of 30 per cent.

Between Tuesday, Oct. 4 and Wednesday, Oct. 5, officers inspected a total of 316 commercial motor vehicles at Woodbine Mohawk Park in Milton.

The purpose of the annual blitz is to conduct proactive enforcement and ensure compliance with legislation pertaining to mechanical fitness, weights, load security, safety and licensing.

THIS YEAR'S BLITZ RESULTED IN:

- 95 vehicles being taken out of service (30 per cent failure rate)
- 208 provincial offence notices being issued
- 8 sets of licence plates being seized
- 160 mandatory alcohol

screenings being conducted

- 3 three-day suspensions being issued
- 1 individual being arrested and charged with having a blood alcohol concentration of 80mgs or more within two hours.

"The Halton Regional Police Service is committed to elevating safety for everyone on our roadways. This was the 21st year we have hosted the Commercial Motor Vehicle Blitz, and with assistance from our partner agencies, we continue to make great strides in making our roads safer," said Sgt. Will Clayton, Halton Police Traffic Services.

"It is imperative that vehicle operators and owners ensure their vehicles are properly inspected and maintained. Credit to those in the industry that are making it a priority. Safe trucks, safe drivers and

safe loads benefit everyone. Operators who choose to neglect their duties will be held accountable."

The previous year's commercial vehicle blitz resulted in:

- 126 vehicles taken out of service (31 per cent failure rate)
- 253 provincial offence notices being issued
- 8 sets of licence plates seized
- 135 mandatory alcohol screenings conducted.

This year's enforcement blitz was attended by the Ontario Provincial Police, Niagara Regional Police, Guelph Police, Waterloo Regional Police, Ministry of Transportation and the Ministry of Finance. Several Halton police resources assisted as well, including the Halton police auxiliary unit, Halton police cadets, 1, 2 and 3 District Response Teams, Training Unit and Traffic Services.