

Personal Representative & Executor Check List

This checklist will provide a better understanding of your many duties as an Executor. The checklist explains the general duties of an Executor, however, depending on the situation and your relationship with the deceased, not all points will apply.

Making necessary arrangements

In general, the following arrangements will need to be looked into immediately after death:

Arranging the funeral

- Notify family, friends, heirs and the employer about the death
- Make arrangements for burial or cremation and funeral services, as specified in the Will (unless the deceased has done so already)
- Pay funeral expenses

Claiming life insurance benefits

Gather the following information to claim life insurance benefits:

- life insurance policy numbers
- the deceased's full name, and any nicknames or additional names he or she may have used
- home address
- Social Insurance Number
- Veteran's file and service number, if applicable
- death certificate – including date and place of death – from the attending physician, or a statement of death from the funeral director
- birth certificate, including place of birth
- names, addresses and birth dates of all beneficiaries named in the life insurance policy(s)

Arranging for living expenses

- Contact the deceased's bank or credit union to provide money for the family's immediate living expenses.

Canada/Quebec pension or survivor benefits

- The deceased's beneficiaries may be entitled to a lump sum death benefit, a survivor's pension or children's benefits.
- A disability benefit may also be payable if the deceased was disabled for more than four months before death.
- If the deceased was receiving Canada or Quebec Pension Plan benefits, cheques may be cashed up to and including the month of death. Any cheques issued after such time must be returned.
- Be sure to contact the nearest Canada or Quebec Pension Plan Office and ask for the appropriate claim forms. You will need to provide the deceased's birth certificate, death certificate and Social Insurance Number. To claim a survivor's pension, they will need the deceased's birth and marriage certificates. To claim children's benefits, they will need their birth certificates.

Company benefits

Contact the employer as soon as possible with regard to:

- unpaid salary, commissions or bonuses
- accrued vacation or sick pay
- group life insurance or pension plan benefits owed to the deceased. If the deceased was retired, check with the organization providing pension payments about any death benefit owed to beneficiaries.

Employment insurance

- If the deceased was receiving Employment Insurance benefits at the time of death, the estate is eligible to receive benefits to the date of death. For assistance, the local Employment Insurance Canada Office (listed under Human Resources and Skills Development Canada in the telephone directory) may be contacted.

Veterans Affairs Canada

- If the deceased was a veteran, the estate may be eligible for additional benefits. For assistance, the nearest Veterans Affairs Office may be contacted

Union or business associates

- If the deceased was a member of a union, club, business or fraternal association, check to see if the deceased had any group life insurance or other benefits.

Un-cashed cheques

- Arrange to have any un-cashed cheques made payable to the estate.

Attending to personal matters

- Locate the Will and all documents relating to the estate.
- Make a list of all names, addresses and birth dates (or approximate ages) of immediate family members – spouse, children, grandchildren, brothers, sisters, parents.
- List names, addresses and birth dates of all other beneficiaries named in the Will or in other documents related to the estate.
- Locate all bank accounts and determine whose name the accounts are in and the balance in each. (You will likely need to open a bank account in the estate's name to pay the debts of the estate.)
- Close all other accounts held by the deceased.
- Locate the safety deposit box, obtain keys and make a list of the contents.
- Arrange with the local post office to re-address mail.
- Return or destroy credit cards.
- Cancel charge accounts.
- Arrange alternate means to pay utilities.
- Cancel magazine subscriptions and club memberships.
- Lock the personal residence and notify the police and insurance company if it is vacant.
- Care for pets.

Settling the estate

Settling the estate is a time-consuming process, and will require your care to ensure that everything is handled according to the wishes of the deceased:

- Meet with the lawyer and any Co-Executors. They will explain what's required of you as the Executor, how much time it will take to administer the estate, and the approximate fee the estate will be charged.
- Protect the assets before probate. Make sure jewellery, stock certificates and other valuables are stored securely. Deposit any cash into an estate account. Gather all assets and do not release any bequests until you are sure there is sufficient money to settle all debts and pay taxes before you distribute the assets to the heirs.
- Review the deceased's personal papers to determine all assets and debts.
- Take an inventory of assets and debts, and if necessary, have them valued.

Debts owing to the deceased

- Be sure to include in your inventory of assets any debts owed to the deceased.

Advertise for creditors in appropriate newspapers

- Arrange for advertisements to try to locate creditors of the estate.
- Check for accuracy of all debts and pay them once you are satisfied all creditors have been identified and the estate has enough assets to pay them.

Bonds & stocks

- Prepare an inventory of any bonds or stocks.

Business assets

- Make a list of equipment, machinery, accounts receivable, goodwill, etc.
- Arrange for the business to continue, if necessary.
- Have farm and business real estate appraised, if necessary
- Contact the accountant who maintains the company records and files the tax returns.

Disposing of assets

- Arrange for storage of assets, when necessary, and notify property insurance companies.
- Sell any assets which must be sold or which you choose to sell if you have a power of sale.

Outstanding accounts

- Pay all credit card bills, medical and dental bills, personal loans, guarantees, utility charges, land taxes, repair bills, etc. Before distributing any assets, allow enough monies for other costs, such as appraisals, accountants or professional trustees.

Personal belongings

Make a list of the deceased's personal belongings, including:

- household furniture and goods
- clothing
- jewellery
- artwork, stamp or coin collections
- electronic or sports equipment
- vehicles (include details on registration and insurance)
- recreational vehicles.

Real estate

- Search the titles of any residential property, rental housing, cottage, agricultural or commercial lands owned by the deceased to determine the details of the ownership, and get legal descriptions.
- Determine if any money is owing on mortgages or other encumbrances, and whether there is mortgage insurance.
- Check for outstanding taxes and utility charges.
- Check on property insurance and transfer the ownership if necessary. Ensure premium payments continue until property is sold or transferred to heirs.

Tax returns

- Consult an accountant to help you file the appropriate return(s) and pay any taxes due.
- An accountant can help you determine if previous years' returns need to be re-filed.
- Obtain tax clearance from the Canada Revenue Agency to ensure all outstanding taxes have been paid before you distribute the assets to heirs.

Trust or estate interests

- Determine if there are any assets held in trust separately from the estate.

Distributing the estate to heirs

- Apply for probate or administration and pay all probate fees or estate administration taxes.
- Tell the beneficiaries what they are receiving.
- After paying all debts and any other charges, distribute the estate according to the deceased's Will or provincial law.
- Have all beneficiaries sign releases stating they will make no further claims on the estate.
- Pay any legal fees and compensation for Executor services.
- Distribute any remaining estate assets.
- Tell family members and professional advisors you have distributed the estate.