

Executor Duties 60 Point Checklist

This is a general checklist to help guide executors, though estates may differ and more or fewer steps may be required. If in doubt, at any time, contact a Certified Executor Advisor (CEA), estates lawyer or professional trust services.

When Death Occurs

- 1 Notify the appropriate authorities in the event of death:

If the death:	The person or office to notify is:
Was expected	The attending physician. Do not call the police, ambulance or 911
Was unexpected	Emergency Services (911)
Is, in any way, suspicious	Police (911)
Was unexpected and Emergency services are unavailable	The local coroner's office
Cannot be determined as expected or not	The local coroner's office or the Chief Coroner of Ontario
Occurred outside of Canada	The nearest Canadian embassy or consulate

- 2 Determine and arrange for donation of organs, tissue or whole body
- 3 Arrange for repatriation as appropriate in the event of foreign deaths
- 4 Check on any pets or livestock that may require care
- 5 Secure property and ensure no lack of occupation is evident to potential thieves
- 6 Locate the Will and review for specific instructions concerning the funeral.
- 7 Assist with funeral arrangements if required.

Before Initiating Administration

- 8 Assess the complexity and time commitment of acting as executor BEFORE proceeding. Executors have the right to recuse and the alternate, if named, may be more capable. Alternatively, consider hiring a corporate executor or trust services, as they have the experience, time, impartiality and competence to administer even the most complex estates. For more information about how helpful and inexpensive this can be, check the Executor Services tab.
- 9 Executors should assess their own personal risk (use the Estate Risk Profile on the Executor Forms tab to determine this) and consider obtaining Executor Insurance to protect themselves and their families. It's an expense of the estate and you can find an application form under the Executor Services tab.

Initial Administrative Steps

- 10 Forward mail
- 11 Obtain multiple original copies of the proof-of-death certificate as most organizations require original documentation.
- 12 Ensure the family's immediate financial needs can be met.
- 13 Arrange for insurance for any unoccupied property
- 14 Review any marriage contracts, family law issues or dependent relief issues
- 15 Probate the Will if necessary (Now normally required)
- 16 Pay probate taxes to provincial or territorial government as required

Communicating with Beneficiaries

- 17 Communicate directly with beneficiaries, gather information and set expectations
- 18 Provide regular, timely updates to beneficiaries regarding status of the administration
- 19 Provide a copy of the estate summary document to entitled beneficiaries
- 20 Communicate with charities and residual beneficiaries regarding the distribution process

Asset Protection

- 21 Review insurance policies and verify that adequate coverage is in place to protect all assets
- 22 Insure all utilities and property taxes are paid on a timely basis
- 23 Notify banks and institutions where the deceased held accounts or owed money
- 24 Cancel all credit card accounts and return or destroy cards
- 25 Notify Equifax and TransUnion of death and card cancellations
- 26 Open an estate account to deposit income and pay expenses and transfer all other account balances

Estate Valuation

- 27 Contact issuers of all mortgages to determine which were insured to cease payments immediately
- 28 Locate investment certificates, stocks, bonds, property deeds, etc. including online accounts
- 29 Value and record estate assets as of the date of death
- 30 Determine all debts owed by the deceased, and all debts owed to the deceased
- 31 Apply for and collect Canada Pension Plan (CPP)/Quebec Pension Plan (QPP) death benefit.
- 32 Contact the deceased's employer or former employer regarding any outstanding wages, employee benefits, pension plans and death benefits
- 33 Apply for and collect personally owned, group and/or affinity group (alumni etc.) life insurance and other insurance benefits
- 34 In Ontario, the Estate Information Return must be filed within 90 days of notification of appointment as executor ('Estate Trustee with a Will' or 'Estate Trustee without a Will' in the case of intestacy)

Administering the Estate

- 35 Review the suitability of investments, adjust accordingly, determine which assets should be sold to meet cash requirements and consider tax implications, relevant fees and timing of dispositions
- 36 Invest surplus cash in permissible investments until the estate is finalized
- 37 Assist in establishing any trusts stipulated in the Will
- 38 Cancel CPP and/or QPP, Old Age Security (OAS) and Guaranteed Income Supplement (GIS) benefits within 30 days. Return any additional payments
- 39 Apply for CPP/QPP survivor's pension and/or children's benefits and the Allowance for the Survivor
- 40 Advise the CRA to discontinue GST/HST credits and child tax benefits
- 41 Complete documentation and arrange to transfer employment, health, pension and retiree benefits
- 42 Return social insurance card, passport, driver's license and health card, depositing any relevant refunds into the estate account
- 43 Maintain or initiate legal actions on behalf of the estate
- 44 Defend legal actions against the estate
- 45 Litigate or settle all claims by or against the estate
- 46 Advertise for creditors
- 47 Pay all debts and settle all legitimate claims prior to final distribution of assets, being sure to obtain written receipts for all disbursements

Taxation

- 48 Obtain a copy of the most recent tax return filed by the deceased
- 49 Seriously consider hiring a Chartered Professional Accountant (CPA). An estate may require up to six different tax returns to be filed and this is beyond the technical scope of most Canadians
- 50 Complete and file all outstanding tax returns and pay any required income taxes
- 51 Obtain the Tax Clearance Certificate(s) from the CRA (and Revenue Quebec, if applicable) once the Notice of Assessment(s) has been received, confirming all tax liabilities owing have been paid

Estate Distribution

- 52 Initiate sale of assets and transfer of property titles. Advise surviving owners of property held in joint tenancy ('joint with right of survivorship') to update records at the Land Registry Office
- 53 Begin impartially distributing assets to beneficiaries with strict adherence to the terms of the Will. If in doubt, obtain an interpretation of the will from an estates lawyer
- 54 Distribute specific bequests, obtaining receipts from all beneficiaries
- 55 Prepare an account of all expenses, including any compensation paid for executor duties
- 56 Arrange for the final distribution of all remaining assets (again, obtaining receipts from each beneficiary)

Closing the Estate

- 57 Prepare a final accounting of all assets and liabilities, income and expenses, and distribution of assets
- 58 Have all adult beneficiaries approve the accounting AND sign a release form
- 59 Advise the bank (in writing) to close the estate account once the estate is completely settled
- 60 Some beneficiaries may receive more assets than they've had to manage in the past, and may have questions about debt reduction and investment options. Suggest beneficiaries review 'How to Be Smart With My Inheritance' under the Heirs tab.