

What to do when someone has died

1. Arrange Funeral and Obtain Death Certificates

Consider ordering at least 3 original Death Certificates, which can be ordered through the funeral home.

2. Notify of Death

- **Canada Revenue Agency** - income tax, GST/HST benefits, child tax benefits, etc.

Notify CRA at 1-800-959-8281 of the date of death as soon as possible, and send them a copy of the death certificate and a complete copy of the will or other legal document such as a grant of probate or letters of administration showing that you are the legal representative.

Website: <http://www.cra-arc.gc.ca/E/pub/tg/rc4111/rc4111-e.html>

- **Canada Pension Plan (CPP), Old Age Security (OAS)**

If the deceased was receiving OAS or CPP retirement pensions, disability benefits or survivor benefits, these must be cancelled. Benefits are payable for the month in which the death occurs; benefits paid after that will have to be repaid.

Complete an Application Kit which is available from any Service Canada Centre, 1-800-277-9914, and many funeral homes. Have the SIN on hand when you call.

Website: <http://www.servicecanada.gc.ca/eng/common/contactus/>

- **Service Canada – Social Insurance Number**

Advise of the death to reduce the possibility of someone else using the deceased's SIN. You will still be able to use the SIN for estate purposes.

Provide the SIN card and a copy of the Death Certificate to Service Centre Canada at the address below. If you do not have the SIN card but know the number, provide a Death Certificate with the SIN clearly written on it.

Notification in person

520 Seymour Street
Kamloops, BC
V2C 2G9

Notification by mail

Service Canada, Social Insurance
Registration Office
P.O. Box 7000
Bathurst, NB, E2A 4T1

Website: <http://www.servicecanada.gc.ca/eng/sin/apply/how.shtml>

- **Medical Services Plan (BC) – Contact to cancel MSP coverage, 1-604-683-7151(Vancouver) or toll free 1-800-663-7100.**

Website:

<http://www2.gov.bc.ca/gov/topic.page?id=C331CE70072946C59276A8B4A936C08D>

- **Extended medical and pension plan – Contact to determine eligibility for continue benefit coverage for dependents.**

- **Bank Accounts** – Contact financial institutions to remove the deceased’s name from joint accounts and convert sole accounts in the name of the Estate and inventory safe deposit box.
- **Life Insurance companies** – Advise of death, and request claim forms and confirmation of benefits.
- **RRSP / RIF accounts** – Advise of death and arrange for transmission to successor.
- **Post office** – Notify post office and redirect mail to executor’s address.
- **Passport Canada** – Contact Passport Canada to cancel the deceased’s passport, 1-800-567-6868.

Website: <http://www.ppt.gc.ca/service/contact.aspx>

- **Veteran’s Affairs** – Cancel any veteran’s benefits by contacting Service Canada or phoning 1-866-522-2122.

Website: <http://www.veterans.gc.ca/eng/contact>

- **Driver’s Licence** – Cancel by phoning a local ICBC Driver Licensing Office. In Kamloops, B.C., phone 250-851-3700.

Website: <http://www.icbc.com/about-icbc/contact-us/Pages/default.aspx>

- **Senior's Supplement or disability benefits** – Cancel any by contacting Service Canada or phoning 1-800-277-9914.

Website: <http://www.servicecanada.gc.ca/eng/common/contactus/>

- **Vehicle insurance** – Cancel and obtain storage insurance by telephoning AutoPlan or the insurance broker.
- **Property Insurance** – Obtain 'vacancy' insurance, if appropriate.
- **Credit Cards** – Contact credit card companies to cancel credit cards (and halt interest accruing if possible).
- **Phone and Utility companies** – Notify to change name on account and modify/cancel services if appropriate.

3. Tax Returns

As the legal representative, you are responsible for filing a return for the deceased for the year of death. This return is called the Final return. You also have to file any returns for previous years that the deceased person did not file.

You have to file a T3 Trust Income Tax and Information Return, for income of the estate earned after the date of death, and for any trust created by the Will.

In all cases you are well advised to obtain a Clearance Certificate from CRA before making a final distribution of estate assets.

Website: <http://www.cra-arc.gc.ca/tx/ndvdl/lf-vnts/dth/clrnc-eng.html>

4. Probate the Will or obtain a Grant of Administration (if no Will)

Probating an estate may or may not be necessary, depending on the nature of assets the deceased held at death. The probate process involves obtaining an Administration Grant (i.e. the Grant of Probate) recognizing the person appointed in the Will as the executor, or, in cases where there is no Will, appointing a person as Administrator of the estate. Executors and Administrators are now referred to as “Personal Representatives”.

After the Grant has been obtained, the Personal Representatives may call in (sell) estate assets, pay debts (including testamentary expenses, income tax and executor fees), pay legacies (gifts) and distribute assets to the beneficiaries of the Will (or according to the inheritance rules of the Province of British Columbia, in cases where there is no Will).

Lawyers frequently offer assistance to Personal Representative with the following estate administration tasks:

1. Drafting and filing the court documents necessary to obtain the Grant of Probate or Administration;
2. Selling land or removing deceased's name from title to land where there is a surviving joint tenant;
3. Advertising for creditors;
4. Determining validity of claims against the Estate;
5. Preparing financial statements and obtaining approval by the beneficiaries; and
6. Obtaining Releases signed by the beneficiaries releasing the executor of Administrator from liability.

Executors are personally liable to the beneficiaries for their dealings with the estate.

Regardless of how diligent or competent the Personal Representative is, estate law is complex. Particularly if the estate involves blended families, estranged children, multiple beneficiaries, unusual or multiple assets, business interests, complex taxation issues, foreign property or beneficiaries, or minor beneficiaries, executors are well advised to retain a lawyer to advise them of the complexities and the law. The legal fees are paid for by the estate and the lawyer's assistance can streamline the process and provide assurances to the executor and beneficiaries that the estate is being handled in a proper, legal and efficient manner.

If you have questions about the probate process, for help determining whether probate will be needed, or help determining whether you should hire an estates lawyer, [contact our office](#) to arrange a complimentary 30 minute consultation with an estates lawyer.

For more information please contact [Leah Card](#), lc card@fultonco.com