

A List of Documents and Information you should have on hand

- ◆ Your marriage certificate
- ◆ Your birth certificate and your spouse's, and if you have children under the age of 25, theirs as well
- ◆ The death certificate
- ◆ Your social insurance number, and your spouse's
- ◆ Any divorce or separation documents, prenuptial or postnuptial agreements
- ◆ Naturalization papers, passports
- ◆ List of any credit cards in separate or joint names
- ◆ Burial plans, cemetery deed
- ◆ Safety deposit box location(s) & key(s)
- ◆ List of most recent statement for any chequing, savings accounts, in separate or joint names
- ◆ The Will
- ◆ List of debts, most recent mortgage statement
- ◆ Proof of any money owed to the deceased
- ◆ Recent tax returns
- ◆ A list of insurance policies (health, life, house, tenant, car) with the numbers
- ◆ Canadian Forces record

- ◆ Automobile and registration or lease agreement
- ◆ Recent statement of mutual funds, securities, stocks in separate or joint names
- ◆ Any property deeds; partnerships or trust agreements

Questions and Advice

If you have any questions regarding a Will or Estate matter you can contact:

Law Society Referral Service (LSRS)

1-800-268-8326

A trained LSRS specialist will give you the name and phone number of one local LSRS lawyer or paralegal who is able to deal with your issue. Call an LSRS member lawyer and receive a 30-minute free consultation.

Legal Aid Ontario:

1-800-668-8258

Northumberland Community Legal Centre

1-800-850-7882

Monday to Wednesday & Friday 9—5

Thursday 9—2

Northumberland Community Legal
Centre
Funded by Legal Aid Ontario

The Northumberland Community Legal Centre offers legal assistance in matters relating to:

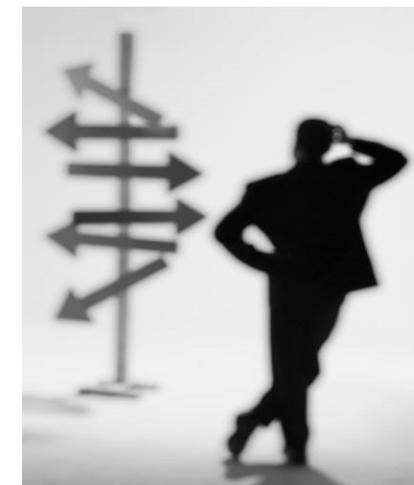
- ◆ Landlord and Tenant Disputes (Tenants Only)
- ◆ Welfare and Disability
- ◆ Workers' Compensation
- ◆ Canada Pension Plan
- ◆ Employment Insurance
- ◆ Employment Standards
- ◆ Ontario Human Rights Code
- ◆ Criminal Injuries Compensation

Northumberland Community Legal Centre
The Fleming Building
1005 Elgin Street West
Suite 301



Northumberland
Community
Legal Centre

WHAT NEEDS TO BE DONE WHEN A LOVED ONE DIES?



Funeral & Burial Arrangements

It is best if all funeral arrangements are made prior to a loved one dying, but this is not always possible. If arrangements have not been made you should select a funeral home from the telephone book or the recommendations of friends or family and make an appointment (on the same day) with the Funeral Director.

Areas to Address:

- ◆ Cremation or burial
- ◆ Open or Closed Casket
- ◆ Non-Religious or Religious Service
- ◆ Private Service (family only)
- ◆ Visitations
- ◆ Casket/Urn present during service
- ◆ Would you like a Eulogy
- ◆ What type of music to be played at the service or no music at all
- ◆ Who will preside over service
- ◆ Pallbearers (usually 6-8)
- ◆ Purchase of a plot at a cemetery/columbarium
- ◆ Headstone
- ◆ Clothing for the deceased
- ◆ Announcement of death in local newspaper
- ◆ Flowers to be received or memorial donation
- ◆ Cost

The funeral home will provide you with a *Proof of Death Certificate*, only if you pay for the funeral. If OW pays, get it through them. The proof of death certificate can be used when contacting:

- ◆ Government Departments— OW/ODSP
- ◆ Financial Institutions
- ◆ Insurance Companies
- ◆ Applying for Survivor's Benefits

Who to Notify after the Funeral:

Human Resources Development Canada

For information about Death Benefits, Survivor Benefits, Children's Benefits relating to CPP, Old Age Security

(905) 372-3326

Ontario Works

If the deceased was in receipt of Ontario Works, they should be notified as soon as possible and assistance may be available to help pay for the burial, even if not on OW. **905-372-6846**

Ontario Disability Support Program (Peterborough) If

the deceased was receiving ODSP, they should be notified of the death and assistance may be available to help pay for the burial. **1-800-663-8560**

Veterans' Affairs District Office Peterborough

If the deceased was receiving Veteran's Pension, a grant may be applied for through the DVA Office at the closest Department of Veterans' Affairs District Office **1-866-522-2122**

Revenue Canada

For information regarding any other government cheques, the specific governmental department must be notified of the death. A simple phone call will assist you in finding out the procedure to follow. All of these Government Departments are listed in the blue pages of the telephone book. **(705) 876-6422**

HST\Trillium Benefits

If the deceased was receiving any of the 3 tax credits that are included in the Ontario Trillium Benefits by mail or direct deposit they need to be cancelled. **1-877-627-6645**

Peterborough Region Ministry of Health

You must have the name and the Health Care Number of the deceased in order to cancel health coverage **(705) 755-4600**

Driver and Vehicle License Offices

If the deceased had a driver's license you must take it to the closest Ministry of Transportation Office and report the person has died. If transferring vehicle from the deceased to a spouse, no safety inspection is required, however, a transfer to any other family member requires a safety inspection.

Cobourg (905) 372-2513
Port Hope (905) 885-7400
Campbellford (705) 653-1579
Brighton (613) 475-2641

Newspaper Classifieds (for obituaries and death notices)
 Northumberland Today (Port Hope Evening Star, Cobourg Daily Star) **(905) 372-0131**

Who to Notify Continued:

Charge Accounts

All institutions must be called (usually a toll-free number on the back of the card) and notified of the death in order to close accounts

Mastercard 1-800-307-7309

Visa 1-800-847-2911

Insurance Policies

If you think the deceased has an insurance policy you will want to contact the insurance company to notify them of the death. You will require a proof of death certificate in order to make a claim and it would be very helpful to know all the policies the deceased carried, through which companies, and even details such as the policy numbers and amounts.

Canadian Life and Health Association — 1-800-268-8099

Manulife — 1-800-590-0970

London Life — 1-800-667-3733

State Farm — 1-800-732-5246

Allstate — 1-800-732-5246

Metlife — 1-800-MET-LIFE

What Happens when there is no Will?

In Ontario there is a law that applies when a person dies without leaving a Will (also called intestate). The *Succession Law Reform Act* ensures that in the event of a person dying intestate, their property is divided amongst family members in accordance with next of kin provisions.

If your loved one dies without a Will, you may need to apply to the Ontario Superior Court to be appointed as Estate Trustee of the estate. If this is the case, you should obtain legal advice regarding your situation.

When there is a Will

If the deceased has a Will, then the Estate Trustee (also called Executor) of the Will might have to get a Certificate of Appointment of Estate Trustee With a Will (formerly called Probate). The certificate is a court document stating that the Will is valid and that the Estate Trustee has the authority to deal with the estate. The documents that are required to do so are: the original Will; a completed application for a Certificate of Appointment of Estate Trustee With a Will; Affidavit of Estate Trustee; and Statement of Assets. Payment of the Estate Administration Tax (which used to be called Probate Fees) is done when you take the forms to the court. Sometimes a certificate is not needed. If you are in doubt, get legal advice.

Bank Accounts, Safety Deposit Boxes, Funeral Bills & Income Tax

Bank Accounts

Typically, joint accounts that were in both your names, become yours on your partner's death. You will need to change the name on the account. You will need to close any accounts that are only in your spouse's or partner's name. The next step is to open a bank account in your own name, followed by your title, Estate Trustee, and transfer the money to that account. If a person dies without a Will, the court will appoint an Estate Trustee who is nominated by the deceased's family.

Safety Deposit Boxes

If you know the institution where the box was located, as well as the box number, you should call the institution first to see what their procedures are and what information they require. If the safety deposit box is held only in the name of the deceased, the financial institution will allow a representative of the Estate to examine the contents. The contents are not permitted to be removed (except the Will) until a Certificate of Estate Trustee is provided.

Funeral Bills

Take the funeral bill to the bank. If there is money in the account to cover it, the bank usually will pay the funeral expenses from the account of the person who died. If OW paid, you will not receive a funeral bill.

Income Tax

When a person dies, a "final tax return" has to be filed for them. This is done by the legal representative of the person who died (the Estate Trustee). It is often the spouse or partner who has the responsibility. Canada Revenue Agency will need to know that you have the legal authority to ask for information about the tax records of the person who has died. They will need:

- ◆ A copy of the death certificate
- ◆ The person's social insurance number; and
- ◆ A certified true copy of the Will or other document that shows you are the legal representative