

# PRACTICAL MATTERS

## Following the Death of a Loved One

There are practical, legal, and financial matters that need to be dealt with following the death of a loved one. Some of these matters may be time-sensitive. But first . . . Just Breathe! We hope this booklet will serve as a resource and guide.

### The Funeral

*A funeral is an important ritual that gives family and friends a chance to say goodbye and to begin accepting the reality of the loss.*

### Making Arrangements

The death of a family member or close friend may be one of the most painful events in a person's life. It is also a time when many decisions need to be made, soon after the death, causing considerable stress.

Funeral planning can be overwhelming, involving personal and family emotional stress, financial decisions and uncertainty.

Working with a licensed funeral home will help in making sound, informed decisions during a very difficult time. (See Funeral Costs for more information)

There are a variety of funeral homes and resources to assist with the planning process.

Guidelines and customs of funeral services vary with different cultures, and religions have special rituals to recognize a death. Friends, family, clergy or the funeral director can help you decide which arrangements to make.

### Funeral Service

In a *traditional service*, a ceremony is held in a place of worship or a funeral home chapel. You can decide whether the service will be public or private.

A *committal service* is a brief service where final words of farewell are spoken. It happens at the end of the traditional service and may be done at the graveside, crematorium, or at the church/chapel.

In a *military service*, the deceased is given military honours. This is available to any veteran or serving member of Canada's Armed Forces. Similarly, most first responder agencies will have their own protocol for their members.

A *memorial service* is similar to a funeral service, except the body of the deceased is not present.

If you choose not to have a service, you can ask a funeral home/director to care for the body of your loved one.

### Children and Funerals

There is no *should* or *shouldn't* when it comes to involving children in funerals, but rather some key information to consider. Children benefit from attending funerals: it gives them an opportunity to honor the person who died, to say goodbye, and to feel connected to others and included. If you worry that, as a parent, you will be too upset to look after your children, ask a family member or good friend to help you. Describe to your children what they will see and hear as plainly as possible to prepare them. Tell them that people are often sad at funerals and they might be too. Give them an opportunity to ask questions and remember that you don't

have to hold all the answers. It's okay to say "I don't know" or "I'm not sure" or "that's a clever question, can I think about it and get back to you?"

Give them an opportunity to be part of the planning by giving them a small role (e.g., choosing photos to display or draw/write a special message

## Funeral Costs

The question of cost is sometimes an issue that people feel uncomfortable asking a funeral director, believing that asking "how much" does not seem very dignified.

Do **NOT** be afraid to ask about prices. All funeral homes by law have to provide you with a general price list. **DO** compare prices for equivalent services from more than one funeral provider. It can help to ask another family member, friend or associate to make enquiries on your behalf once you have a clear outline of your funeral needs.

The more elaborate the plans for the funeral, the more expense you will incur. Many families rely on the deceased's life insurance to help cover costs. Other sources of financial help include: Canada Pension Plan – Lump Sum Death Benefit, Veterans Affairs (for war veterans or members of the National Defense of Canada.

Financial assistance for those already receiving social assistance, or for others who are unable to pay funeral costs, may be available from GNWT Family and Social Services. For further information, see "Items to Apply For" in this booklet.

## Dealing With Legal and Financial Matters

### Disposition of Assets

Disposing of a deceased person's assets is usually done through a **will**. A will is a written record that details how a person's belongings, or estate, will be divided upon death. The

executors are responsible for taking care of the estate and should be notified as soon as possible after the death.

### ***If There Is a Will***

Probating a will occurs when the will is proved valid by a court of law. If the estate is small or held jointly, there may be no need for probate. Any property held jointly (real estate, bank accounts, bonds) can be easily transferred to the surviving spouse or individual named. A bank may require probate if there is a large amount of money that is not held jointly, or for other reasons.

### ***If There Is a Handwritten Note***

Sometimes a signed, handwritten note that distributes a person's property and possessions may be used as a will. This includes suicide notes. You should be aware that this type of note might be challenged in a court of law on the grounds of mental incapacitation. Contact your lawyer or the Government of the Northwest Territories for more information.

### ***If There Is No Will or Your Situation Is Complicated***

If there is no will, or if no will is found, the deceased died 'intestate' and you may need advice from the Public Trustee (a senior lawyer employed by the NT Government) to settle the estate.

If your situation is complicated for other reasons, such as marital separation or common-law relationships, you may need to contact a lawyer.

## Insurance

You will need to notify all insurance companies (house, car, life) of the death. In Canada, generally life insurance policies must have been held for at least 24 months to be valid if the death is by suicide (there may be exclusions so check your policy). However, there may be special circumstances where a policy held for less than 24 months may be challenged in court by the family of someone who died by suicide. Consult your lawyer or insurance provider for more information.

## Financial Matters

A number of financial matters need to be dealt with after a death. You may want to ask family members or a trusted friend to help you deal with some of these matters during this difficult time.

*It is strongly recommended that you seek the advice of a professional before making any major decisions that may affect your financial or personal situation.*

Know your rights:

- ◆ It is very important to note that you are only responsible for debts that you have co-signed for.
  - ◆ No one can leave their debts to someone else, not even their spouse.
  - ◆ Unless you have signed for a debt, it is not your debt.
- When you are ready to begin:

## FIRST: GATHER DOCUMENTS

The first step in dealing with financial matters is to gather the documents of the deceased. This must be done before you (or your financial advisor or the executor of the will) can take care of matters related to the estate. Set up a folder to keep all the personal documents and records of legal and financial matters.

## Personal Documents

You must have **one** of the following documents before you can cancel, transfer and apply for benefits and obligations. You will need approximately a dozen official copies.

### **Statement of Death**

Issued by the funeral home (no charge)

### **Medical Certificate of Death**

Issued by a physician or the Medical Examiner's office (no charge)

### **Death Certificate**

Ordered through Health and Social Services (charges *will* apply)

*Other Personal Documents:*

- Birth Certificate**
- Driver's License**
- Marriage Certificate**
- Passport**
- Personal Will**
- Social Insurance Card (or Number)**

## Banking and Financial Documents

- Bank Account Numbers, Passbooks, Statements (Chequing, Saving, Line of Credit, etc.)
- Bank and Credit Cards
- Investment Records (stocks, bonds, RRSP, GIC's, etc.)
- Lease and/or Rental Contracts
- Loan Agreements (monies owed or owing)
- Mortgage Papers
- Safety Deposit Box Number

## Health Documents

- NWT Care Number
- NWT Blue Cross Number
- Other health insurance providers

## Property Documents

- Land Titles
- Personal Possessions (artwork, jewelry, etc.)
- Vehicle Registration(s)

## Other Documents

- Employee Benefit Booklets
- Insurance Policies (life, medical, home, car, business, mortgage etc.)
- Membership Cards (sport/recreation clubs, professional associations, libraries etc.)
- Pension Information
- Previous Tax Returns
- Utility Account Numbers (phone, cell phone, gas, water, electricity, cable, internet, etc.)

## NEXT: OBLIGATIONS TO CANCEL OR TRANSFER

Once all documents have been gathered, you will need to cancel or transfer various financial obligations. Be aware that there are fees associated with some of these matters.

## Items to Cancel

- NWT Health Card- Health and Social Services cancels the card after being notified by vital statistics.
- ECE – Income Support, NWT Senior Citizen Supplementary Benefit will need to be cancelled by the family/executor by providing the death certificate.
- Canada Pension Plan 1-800-277-9914  
Cheques can be cancelled by telephone. You will be asked to provide the name, address, and social insurance number of the deceased. The estate is entitled to the pension cheque in the month in which the death occurred.
- Disability Benefit 1-800-277-9914  
You will need to cancel disability payments, both federal and Provincial. Provincial disability payments may be cancelled by

Health and Social Services after they are notified by vital statistics.

- Veterans Benefit 1-866-522-2122

Pension or compensation benefits continue for one year after death. There may be other Veterans Affairs benefits available (e.g., assistance with funeral expenses and burial in a veteran's grave). Contact Veterans Affairs for further information

- Passport

If the deceased held a valid passport at the time of death, return it to the nearest passport centre or mail it to the processing centre. Include a copy of the death certificate or a letter stating why you are returning the passport.

- Insurance Policies

Notify all insurance companies with whom the deceased had policies (e.g., car, home, business, or life insurance). You may also need to contact the person's employer to cancel workplace insurance policies.

- Bank Cards

Contact the issuing bank to cancel bank cards held by the deceased.

- Safety Deposit Box

Contact the bank for access to the safety deposit box registered to the deceased, then **close** the safety deposit box held by the deceased.

- Credit Cards

Contact the issuing bank to cancel credit cards held by the deceased.

## Items to Cancel *(continued)*

### Leases/Rentals

Cancel any lease or rental contracts in the name of the deceased, or transfer them to another name.

Memberships (sport/recreation clubs, professional associations, libraries) Cancel memberships, or transfer them to another name as appropriate.

## Items to Transfer

Joint Accounts (Bank Accounts, Credit Cards, Investment Accounts, RRSP's, GIC's etc.)

Any accounts held in common can be transferred to the survivor. You will need to contact your financial advisor or the institution holding these accounts for specific information on how to transfer the accounts.

Land Titles (867-767-9302, Toll free: 1-877-743-3301)

If real estate was held in the deceased's name, a land transfer must be made.

## FINALLY: APPLICATIONS FOR BENEFITS

### Items to APPLY for

Health and Social Services Funeral Support

In the Northwest Territories if a family is not able to afford funeral costs, they can contact their local social worker as per an application for Indigent Death Benefits. There is no guarantee that an application will be approved, as it depends on certain criteria eg. financial, residency, bank statements, etc.

Local Band, First Nations, or Indigenous Offices

These groups might provide some financial support to families in covering funeral costs for their respective beneficiaries. Contact the office of the organization you are a beneficiary for.

CPP Lump Sum Death Benefit 1-800-277-9914

This benefit is based on the CPP contributions of the deceased. You will need to provide a copy of the death certificate or statement of death, your birth certificate, and social insurance number.

Go to:

[www.servicecanada.gc.ca/eng/services/pensions/cpp/death-benefit.shtml](http://www.servicecanada.gc.ca/eng/services/pensions/cpp/death-benefit.shtml)

CPP Survivor's Benefit 1-800-277-9914

This benefit is based on the CPP contributions of the deceased. The amount of the benefit awarded will depend on the age of the surviving spouse or common-law partner and other dependency factors. Benefits for children may also be available.

Go to: [www.servicecanada.gc.ca/eng/services/pensions/after-death.shtml](http://www.servicecanada.gc.ca/eng/services/pensions/after-death.shtml)

Children's Benefit 1-800-277-9914

There may be benefits available for children under the age of 18 or for children between 18 and 25 who are full-time students. If you are the caregiver of children of the deceased who are under age 18, you should apply for this benefit on their behalf. However, if any of these children are living on their own, they can apply themselves. Dependent children between 18 and 25 and in full-time studies should apply for this benefit themselves.

Go to:

[www.servicecanada.gc.ca/eng/services/pensions/cpp/child.shtml](http://www.servicecanada.gc.ca/eng/services/pensions/cpp/child.shtml)

□ Allowance for the Survivor 1-800-277-9914

This benefit for widows and widowers is based on income qualifications. Proof of marriage is required (common-law relationships will be considered). This benefit is not retroactive and must be applied for immediately.

Go to:

[www.servicecanada.gc.ca/eng/services/pensions/oas/allowance-survivor.shtml](http://www.servicecanada.gc.ca/eng/services/pensions/oas/allowance-survivor.shtml)

□ Guaranteed Income Supplement

Surviving widows/widowers over the age of 65 may be entitled to this benefit. This benefit is based on income qualifications. Contact Service Canada for more information.

Go to:

[www.servicecanada.gc.ca/eng/services/pensions/oas/gis/](http://www.servicecanada.gc.ca/eng/services/pensions/oas/gis/)

□ Mortgage Life Insurance

Mortgage life insurance is not the same as mortgage insurance. If the deceased held mortgage life insurance, the mortgage will be paid upon death. The mortgage company will require a copy of the death certificate. Some policies will not cover deaths by suicide if they occur within two years of the start of coverage. Review the policy or consult with the bank for specific information.

□ Veterans Benefits 1-866-522-2122

If the deceased was a veteran, you may be eligible for benefits including funeral expenses and burial in a veteran's grave.

Contact Veterans Affairs for details.

Go to: [www.veterans.gc.ca/eng/services/financial/funeral-burial](http://www.veterans.gc.ca/eng/services/financial/funeral-burial)

□ Private Insurance Policies

If the deceased held private life insurance, the amount will be paid upon death. The insurance company will require a death certificate. If the deceased was currently working, check with his/her employer to see if they had a life insurance policy as part of a company benefits plan.

## OTHER FINANCIAL AND LEGAL MATTERS

### Loans and Personal Debt

- Loans (individual or co-signed) from a bank, company, or other institution. These may or may not be insured.
- Personal loans, either owed to the deceased or owing to others.

### Income Taxes

- A final tax return must be filed.

If the death occurred between January 1st and October 31st, the final return is due by April 30th of the next year.

If the death occurred between November 1st and December 31st, the final return is due six months after the death.

If tax returns from previous years have not been completed, they must also be filed.

Once the final returns have been submitted, you may want to get a Clearance Certificate from Revenue Canada before you distribute any property under your control. A Clearance Certificate certifies that all amounts for which the deceased is liable to Canada Revenue Agency have been paid, or that security has been accepted for the payment.

If you do not get a Clearance Certificate, you can be liable for any amount the deceased owes.

Contact Canada Revenue Agency (1-800-959-8281) for more information.

Go to: [www.cra-arc.gc.ca/tx/ndvdl/lf-vnts/dth/menu-eng.html](http://www.cra-arc.gc.ca/tx/ndvdl/lf-vnts/dth/menu-eng.html)

## Employer

- Contact the employer to collect a final pay cheque, discuss where to send the T4 slip, and inquire about any employee benefits that may apply.

## GST Credit

- Contact Canada Revenue Agency (1-800-959-8281) for information on GST credit.

Go to: [www.cra-arc.gc.ca/tx/ndvdl/lf-vnts/dth/gst-tps-eng.html](http://www.cra-arc.gc.ca/tx/ndvdl/lf-vnts/dth/gst-tps-eng.html)

## Lawsuits

- Judgments either for or against the deceased may need to be settled by the estate.

## NOTES

*For additional information please contact.*

### **Inuvik Justice Committee**

Inuvik Victim Services 867-777-5493

Beaufort Delta Victim Services 867-777-5480

### **GNWT Community Justice and Policing Division**

Victim Service Line 867-767-9261 ext. 82466

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