\*\*\*\*\*\*\*, 20XX File No.: 19\*\*\*

Mr. / Mrs. Executor/Executrix/Trustee

Address

Dear Mr./Mrs. \*\*\*\*\*\*:

**Re: Administration of the Estate of [name of estate]**

I provide you, at this time, my reporting letter in relation with the above noted Estate.

**Certificate of Appointment**

A Certificate of Appointment of Estate Trustee with a Will was obtained on your behalf from the Superior Court of Justice and was dated \*\*\*\*\*\*\*\*\*, 200\*. This document appointed you as Trustee of the Estate.

**Estate Administration Tax**

Estate Administration Tax was paid to the Minister of Finance in the amount of $\*\*\*.00, when your Application for a Certificate of Appointment was submitted to the Court.

or

**Estate Administration Tax**

Estate Administration Tax was paid to the Minister of Finance in the amount of $\*\*\*.00, when your Application for a Certificate of Appointment was submitted to the Court.

The amount of Estate Administration Tax was based on an estimate of the value of the Estate at the time of death. Given that full particulars of the value of the Estate was unknown at such time, namely the value of the real property, an Undertaking signed by you whereby you agree to inform the Court of the exact value of the Estate within a period of six months, was also filed with the Minister of Finance. A copy of the Undertaking is enclosed for your reference.

I confirm that we have since verified the value of the Estate and the additional Estate Administration Tax that is now due payable to the Court is $\*\*\*.00.

**Estate Information Return**

An Estate Information Return must be received by the Ministry of Finance after a Certificate of Appointment of Estate Trustee has been issued. I faxed, on \*\*\*, 20XX, pursuant to the Rules and Regulations of the Ministry of Finance, your completed and signed Estate Information Return. A copy of the Return is enclosed for your reference.

Or

An Estate Information Return must be received by the Ministry of Finance after a Certificate of Appointment of Estate Trustee has been issued. The Estate Information Return for the Estate of [name of estate] is due \*\*\*\*\*, 20XX. I prepared the return on your behalf. Upon receiving your signature to such return, I will file it with the Ministry of Finance.

Maybe

When an Undertaking is filed with an Application for a Certificate of Appointment of Estate Trustee with the Court, an Amended Estate Information Return must be received by the Ministry of Finance. I faxed, on \*\*\*\*\*, 20XX, pursuant to the Rules and Regulations of the Ministry of Finance, your completed and signed Amended Estate Information Return and Affidavit fulfilling Undertaking. A copy of the Return is enclosed for your reference.

Please note that I prepared such Estate Information Return(s) based on the information which I may have received from the various financial institutions regarding the deceased and based on information which you provided to me. In the event that I have not received complete or accurate information from yourself or third parties, I am unable to assume any liability in the preparation of the Estate Information Return(s).

If, within four years of the issuance of a Certificate of Appointment of Estate Trustee you become aware that any information given to the Ministry of Finance on an Estate Information Return is incorrect or incomplete, an amended Estate Information Return must be received by the Ministry of Finance within 60 calendar days of you becoming aware that the information is incomplete or inaccurate. Should you become aware of any such incorrect or incomplete information, please contact me to discuss the manner in which the correcting information ought to be filed.

**Notice to Creditors and Other**

It was recommended that a notice to creditors and others having a potential interest in the Estate be placed with either in a local newspaper or with NoticeConnect, being an internet advertiser, prior to distributing any of the funds and assets of the Estate. The purpose of placing such a notice is to shift the liability of any such debts and liabilities from you as Trustee onto the beneficiaries, to the extent of their respective share of the Estate.

A Notice to Creditors and Others was published with NoticeConnect. A copy of the publication with NoticeConnect and the invoice which has been paid on your behalf are enclosed for your reference.

or

It was recommended that a notice to creditors and others having a potential interest in the Estate be placed in the local newspaper or with NoticeConnect, being an internet advertiser, prior to distributing any of the funds and assets of the Estate. The purpose of placing such a notice is to shift the liability of any such debts and liabilities from you as Trustee onto the beneficiaries, to the extent of their respective share of the Estate. You advised that this was not required as you were intimately aware of the deceased’s affairs and felt it was not necessary to incur this expense.

**Parentage Search**

It was recommended that a parentage search be conducted in order to comply, in part, with your obligation, as Trustee, to make reasonable inquiries to determine if there are any persons born outside marriage who may be entitled to share in the Estate. You provided me with written instructions on \*\*\*\*\*\*\*\*\*\*\*\*\*, to the effect that this was not required as you were satisfied that you had made reasonable inquiries from members of the family for the purpose of determining the names of all person who may have an interest in the Estate.

**Transmission Application**

I confirm that I registered, on \*\*\*\*\*\*\*\*\*\*\*, 20XX, pursuant to your instructions, a Transmission Application transferring the property, situated at \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*, Ontario, to you as Estate Trustee. A copy of the Transmission Application registered as Instrument No. BS\*\*\*\*\* is enclosed for your reference.

**Real Property**

The property situated at \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*, Ontario was sold to \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*, pursuant to an Agreement of Purchase and Sale entered into by yourself. The net sale proceeds of the sale transaction were distributed equally between all the beneficiaries of the Estate. I previously provided you with the reporting letter in relation to such sale transaction.

**Insurance**

As Trustee of the Estate, it is your duty to ensure that all tangible property of the deceased has proper insurance coverage for perils such as fire, theft, public liability and others, and that such insurance coverage is paid up to date. You provided me with written instructions on \*\*, 20\*\* that you would handle such insurance matters on your own, without my assistance. Please find enclosed your signed Acknowledgment and Instruction to this effect.

**Bank Accounts and Investments**

I obtained the following funds from the following institutions, where the deceased had accounts:

* Bank of \*\*\*\*\*\*\*\*\*\*\* $

I enclose a copy of the correspondence received from these institutions to this effect.

**Interim Distribution**

An interim distribution was completed on \*\*\*\*\*\*\*\*\*\*, 20XX, whereby the following amounts were paid to the following persons:

the amount of $\*\*\*\*\*\*.\*\* was paid to \*\*\*\*\*\*\*\*\*\*;

the amount of $\*\*\*\*\*\*.\*\* was paid to \*\*\*\*\*\*\*\*\*\*;

the amount of $\*\*\*\*\*\*.\*\* was paid to \*\*\*\*\*\*\*\*\*\*.

This interim distribution was approved by all of the beneficiaries. I enclose your copy of the Acknowledgment, Waiver and Release and Discharge to Estate Trustee and an Acknowledgment of Receipt signed by each of the beneficiaries.

**Compensation**

As Trustee of the Estate, you were entitled to claim a compensation. You advised me that you waived your entitlement to this compensation.

OR

**Compensation (for interim report before compensation is paid)**

As Trustee of the Estate, you are entitled to claim compensation for your services. If you opt to receive such compensation, it will be a taxable income to you. You may also claim reimbursement of reasonable out of pocket expenses. You are advised to retain a log of your time, receipts and a mileage record in regards to such claim for compensation and reimbursement of out of pocket expenses.

Should you opt to claim compensation, the Estate is required pursuant to the Income Tax Act to issue a T4 slip for such compensation and remit the source deductions (income tax and CPP) to Canada Revenue Agency within 15 days of paying such compensation. I understand that if such T4 slip is not prepared and filed and if the source deductions are not paid, Canada Revenue Agency may assess a penalty.

**Compensation (for final report after compensation has been paid)**

A compensation in the amount of $\*,\*\*\*.\*\* was approved by the beneficiaries of the Estate and paid to you.

I advised you that the Estate is required pursuant to the Income Tax Act to issue a T4 slip for such compensation and remit the source deductions (income tax and CPP) to Canada Revenue Agency within 15 days of paying such compensation, failing which, Canada Revenue Agency may assess a penalty.

**(select one of the following)**

Further to your instructions, a T4 slip was issued in your favour for the payment of your compensation, which you must report on your personal income tax return. A payroll number was issued to the estate and amounts retained at source on your compensation were remitted to Canada Revenue Agency.

OR

Further to my limited retainer, which you confirmed, I did not look after the issuance of the T4 slip on behalf of the estate, nor remit the necessary sums deducted at source (income tax and CPP) to Canada Revenue Agency, as you advised that you would make other arrangements to perform such tasks on behalf of the estate.

**Income Taxes**

As Trustee of the Estate, you have an obligation to ensure that the income tax returns of the deceased and of the Estate are filed with Canada Revenue Agency. As Canada Revenue Agency can request payment from you as Estate Trustee for any unpaid taxes or other amount owing, I advised you to obtain a Clearance Certificate from Canada Revenue Agency in order to protect yourself. I enclose your signed Acknowledgement and Instructions authorizing and directing me to proceed with the distribution of the Estate without requesting and obtaining such Clearance Certificate.

Please advise if you require me to apply for such certificate on your behalf.

I retained, on your behalf, the services of Francois Roberge, of the firm Baker Tilley, to prepare the Estate’s Trust Return. Once the Notice of Assessment for the return is received from Canada Revenue Agency, I will seek your instructions regarding the release of the balance of the Estate funds.

**Other Matters**

At your request, I advised the various government offices of the fact that \*\*\*\*\*\*\*\*\*\*\*\*\*\*\* passed away and advised them to cancel the applicable income payments.

**Other Matters**

At your request, certain matters were completed by you without my involvement, namely:

* advising the various government offices of the fact that Mr./Mrs. \*\*\*\*\*\* passed away and returning the applicable cards or cancelling the applicable income payments;
* applying for any life insurance benefits;
* applying for Canada Pension Plan benefits.

**Statement of Account**

My Statement of Account for services rendered from \*\*, 20\*\* to date hereof is enclosed. You will note that the account is in the amount of $0.00. Upon applying the balance held in trust of $0.00, this leaves a balance owing remaining of $0.00.

Or

My Statement of Account for services rendered from \*\*, 20\*\* to date hereof is enclosed. You will note that the account is in the amount of $0.00. Upon applying the amount owing to pay such account from the funds held in trust, the balance left in trust is $0.00. Such balance will be held in my firm’s non-interest bearing mixed trust account.

Maybe for either above situations:

I would ask that you provide a further retainer of $0.00 to deal with the additional steps in this matter.

**Next Steps**

* Obtain your signature on the Estate Information Return and file such Return with the Ministry of Finance;
* Obtain confirmed account details and date of death values from [name of bank];
* Obtain the release of funds from [name of bank];
* Prepare and obtain your signature on the Transmission Application and register the property into your name as Estate Trustee;
* Complete the sale of the property;
* Obtain your direction on an interim distribution of the Estate; and
* Complete applicable income tax returns.

**Personal Wills**

Finally, I recommend that all beneficiaries review and update their personal wills and powers of attorney in light of this change in personal circumstances. Beneficiaries should note that the family law in their jurisdiction may have implications on an inheritance in the event of a separation, divorce or death. If this is a concern, the beneficiary should review this with a lawyer as there are steps that may be taken to minimize the implications.

**Enclosures**

I enclose at this time the following documents:

* Notarized copy of Certificate of Appointment of Estate Trustee with a Will;
* Reviewed Estate Asset Value;
* Signed Application for Certificate of Appointment of Estate Trustee with a Will;
* Signed Affidavit of Service of Notice with Notice of Application for a Certificate of Appointment of Estate Trustee with a Will attached;
* Copy of publication of Notice to Creditors and Others and Invoice;
* Signed Acknowledgment and Instruction; and
* My Statement of Account and Trust Ledger Statement, which has been paid in full.

I trust the enclosed is satisfactory. Should you have any questions regarding this matter, please do not hesitate to contact me.

Yours very truly,

Enclosures