Estate Administration in Alberta

A practical guide for Personal Representatives and families

Including a plain-language overview of Alberta's Surrogate Digital Service (SDS)

This guide is for anyone who has just lost a loved one — or who is planning ahead. It explains what needs to happen after a death in Alberta, what legal authority may be required, and how the Surrogate Digital Service (SDS) can help. It is not legal advice. For complex situations, consult a qualified Alberta lawyer.

CMS members: Insert these pages into your *Ducks in a Row* workbook. Available at coopmemorial.org/dir.

What to Do First: A 30-Day Checklist

Step 1: Days 1–3: Immediate Priorities

- □ Arrange the funeral — contact CMS or your funeral provider
- □ Obtain the Medical Certificate of Death from the attending physician or hospital
- □ Register the death with Alberta Vital Statistics (your funeral provider can do this)
- □ Order multiple certified copies of the Death Certificate — you will need at least 5–10
- □ Locate the Will and identify the Personal Representative (executor)
- □ Secure the home, vehicle, and valuables

Step 2: Week 1: Notify Key Organizations

- □ Service Canada — cancel CPP/OAS payments and apply for the CPP Death Benefit ($2,500)
- □ Alberta Health — cancel provincial health care coverage
- □ Canada Revenue Agency (CRA) — notify of the death
- □ Employer or pension provider (if applicable)
- □ Banks and financial institutions — notify and protect accounts
- □ Insurance providers — notify of the death

Step 3: Weeks 2–4: Begin Estate Administration

- □ Determine whether a Grant of Probate or Administration is required (see page 2)
- □ Check whether the estate qualifies for the Surrogate Digital Service (SDS)
- □ Consult a lawyer if the estate is complex, contested, or involves real property
- □ Compile a full list of assets, debts, and beneficiaries
- □ Cancel credit cards, subscriptions, and memberships (after securing accounts)
- □ Redirect mail
- □ Contact an accountant regarding the final T1 and estate T3 tax returns

Step 4: Within 60 Days

- □ Apply for the CPP Death Benefit if not already done (60-day deadline)
- □ File or plan the final personal income tax return (T1) for the year of death
- □ File a T3 Estate Trust return if the estate earns income after death
- □ Obtain a CRA Clearance Certificate before distributing assets to beneficiaries

CMS Tip: *A pre-arranged CMS funeral removes one of the most urgent and stressful tasks from your family's plate. Ask us about pre-arrangement at coopmemorial.org.*

Do You Need a Court Order?

Not every estate requires probate. Whether a Grant is needed depends on what assets the deceased owned and how they were held.

Usually NO probate needed	Probate likely required
• Assets held in joint tenancy • RRSPs, RRIFs, TFSAs with a named beneficiary • Life insurance with a named beneficiary • Pension plans with a named beneficiary • Very small bank balances (at the bank's discretion)	• Real property (land/home) owned solely by the deceased • Bank or investment accounts in the deceased's name only • Registered accounts with no named beneficiary • Business interests

Note: Alberta eliminated probate fees in 2009. Court filing fees still apply but are modest. Unlike most provinces, Alberta does not charge a fee based on the value of your estate.

Types of Court Orders

- A Grant of Probate — issued when there is a valid Will. Confirms the Personal Representative has authority to act.
- A Grant of Administration — issued when there is no Will, or where the named Personal Representative is unable or unwilling to act.

If there is no Will, Alberta's Wills and Succession Act determines who inherits the estate. A lawyer is strongly recommended in this situation.

> **CMS Tip:** *A Will naming a Personal Representative can sometimes satisfy a bank or institution on its own — without a full Grant. It is always worth asking.*

The Surrogate Digital Service (SDS)

The SDS is an online portal from the Government of Alberta that guides eligible individuals through preparing and submitting an application for a Grant of Probate or Administration. It generates the required court documents based on your answers. The Court still reviews and approves the application — SDS does not replace the court process.

Is Your Estate Eligible for SDS?

SDS is suitable for straightforward estates. Check all that apply before you begin:

- There is a valid Will
- The estate is not contested
- All assets are located in Alberta
- No business assets or complex holdings are involved
- All beneficiaries can be identified and located

If any of the above do not apply, consult a lawyer before proceeding.

What to Have Ready

- The original Will
- The Death Certificate
- A list of assets and estimated values
- Beneficiary names, addresses, and their relationship to the deceased

SDS is Not Suitable When:

- Family members disagree about the estate
- The Will is being challenged
- Assets exist outside Alberta
- Beneficiaries cannot be located
- The estate is large or complex

Access SDS at: surrogate.alberta.ca

Tax Obligations After a Death

The Personal Representative is responsible for the following tax filings. Obtain a CRA Clearance Certificate before distributing any assets — without it, you may be personally liable for unpaid taxes.

Return	What It Covers	Deadline
T1 (Final)	Income in the year of death, including deemed disposition of assets	Apr 30 of following year (or 6 months after death)
T3 (Estate)	Income earned by the estate after the date of death	90 days after the estate's fiscal year end

Alberta has no provincial estate tax or inheritance tax. However, federal income tax may apply through deemed disposition of assets and inclusion of registered accounts (RRSPs/RRIFs) as income. A spousal or AIP rollover can defer capital gains until the survivor's death. Consult an accountant.

CRA resource: canada.ca — What to do when someone has died

Other Things to Know

CPP Death Benefit

canada.ca/cpp-death-benefit.

Personal Representative Compensation

Alberta law allows the Personal Representative to claim reasonable compensation from the estate. Many family members acting as PR are unaware of this. Discuss with a lawyer.

Digital Assets

Online accounts, passwords, cryptocurrency, and digital subscriptions are part of the estate. Ensure your Personal Representative has access instructions. Include these in your Ducks in a Row workbook.

Powers of Attorney and Personal Directives

Both expire on death and cannot be used by the Personal Representative. They are valid only during the person's lifetime for incapacity planning.

No Will? (Intestacy)

Wills and Succession Act determines who inherits — generally prioritizing spouses/AIPs, then children, then parents and siblings. Legal advice is strongly recommended.

> **CMS Tip:** *An Adult Interdependent Partner (AIP) — Alberta's term for a committed non-married partner — has rights similar to a spouse under the Wills and Succession Act. A cohabitation agreement can limit these rights. See a lawyer if this applies to your situation.*

Resources

Government of Alberta

- Surrogate Digital Service (SDS) — surrogate.alberta.ca
- Wills and Estates — alberta.ca/wills-and-estates
- Surrogate Applications — alberta.ca/surrogate-applications
- Alberta Courts — Surrogate Matters — albertacourts.ca

Federal / CRA

- What to do when someone has died (CRA)
- CPP Death Benefit (Service Canada)

Finding a Lawyer

Ask for referrals from trusted friends, family, financial advisors, or your Cooperative Memorial Society (CMS). The Law Society of Alberta maintains a searchable lawyer directory filterable by practice area:

- Law Society of Alberta Lawyer Directory — lawsociety.ab.ca

Cooperative Memorial Society (CMS)

- coopmemorial.org | 403-248-2044 | 1-800-566-9959 | admin@coopmemorial.org
- Ducks in a Row workbook — coopmemorial.org/dir

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