



BC Executor & Administrator Checklist

A Step-by-Step Guide to Probate and Estate Administration in British
Columbia

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Last updated: April 2026

*This checklist is for general information only and does not constitute legal advice.
Every estate is different. Consult a probate lawyer for advice specific to your situation.*

BEFORE YOU BEGIN

Do You Need Probate?

Probate is required in BC when the deceased held assets solely in their name with a value over \$25,000.

Probate likely required:

- Deceased owned real property in their name alone
- Bank or investment accounts over \$25,000 with no joint owner or named beneficiary
- A financial institution is requesting a Grant of Probate

Probate may NOT be required:

- Total solely-held assets are under \$25,000
- All significant assets were jointly owned
- Assets have named beneficiaries (RRSPs, TFSAs, life insurance)

BC Probate Fees:

- No fee on estates under \$25,000
- \$6 per \$1,000 on estate value \$25,000–\$50,000
- \$14 per \$1,000 on estate value above \$50,000
- Court filing fee: \$200

HOW A PROBATE LAWYER CAN HELP

Most executors retain a probate lawyer to handle the court application — the most complex and error-prone stage. Once the Grant of Probate is issued, executors typically manage the remaining steps independently.

What a probate lawyer typically handles:

- ✓ All court forms (P1/P2, P3, P9, P10/P11)
- ✓ Disclosure Statement (assets & liabilities)
- ✓ 21-day notice to beneficiaries and interested parties
- ✓ BC Gazette creditor notice
- ✓ Filing with BC Supreme Court
- ✓ Obtaining the Grant of Probate

What you handle after the Grant is issued:

- CRA filings and Clearance Certificate
- Paying creditors and estate debts
- Distributing assets to beneficiaries
- Final accounting and closing the estate

Steps 1–6 below cover the probate application process.

Steps 7–11 cover your responsibilities after the Grant is issued.

Cube Law Corporation offers fixed-fee probate services in Surrey BC.

Learn more: cubelaw.ca/surrey-probate-lawyer/

PART 1: GETTING THE GRANT OF PROBATE

Steps 1–6

STEP 1 — FIRST 72 HOURS

- Locate the original will — confirm you are named executor
- Order 8–10 certified Death Certificates (funeral home or BC Vital Statistics)
- Confirm or arrange funeral per the deceased's wishes
- Secure all property — change locks on vacant homes, confirm insurance active
- Forward mail — prevent identity theft
- Coordinate care for dependents or pets
- Notify close family and all named beneficiaries

Apply for:

- CPP Death Benefit (\$2,500 — apply at Service Canada)
- CPP Survivor's Benefits (eligible spouse and children under 25)

STEP 2 — NOTIFY INSTITUTIONS

- All banks and credit unions — open a dedicated estate bank account
- Service Canada — stop CPP and OAS payments immediately
(Overpayments must be returned — notify as soon as possible)
- Canada Revenue Agency (CRA)
- ICBC — cancel driver's licence
- Employer — claim outstanding wages or pension benefits
- All insurance companies (home, life, vehicle, health)
- Investment institutions — RRSP, TFSA, RRIF, brokerage accounts
- Canada Post — redirect mail
- Subscription services — cancel to stop ongoing charges

STEP 3 – INVENTORY THE ESTATE

Assets – list everything:

- Real property (address, market value, mortgage outstanding)
- Bank and savings accounts (institution, balance)
- Investment accounts (RRSP, TFSA, non-registered, pension)
- Life insurance policies (is there a named beneficiary?)
- Vehicles (estimated value)
- Business interests
- Personal property of significant value (jewellery, art, collectibles)
- Digital assets (cryptocurrency, online accounts with value)
- Money owed to the deceased

Liabilities – list everything:


- Mortgage balance(s)
- Credit card balances
- Lines of credit and personal loans
- Outstanding bills (utilities, property taxes, strata fees)

Keep a running transaction log from this point forward.

STEP 4 — NOTIFY BENEFICIARIES


Under BC's Wills, Estates and Succession Act (WESA), you must provide formal written notice to:

- All beneficiaries named in the will
- Intestate successors (people who would inherit if there were no will)
- Spouse of the deceased
- Any person who may have a wills variation claim

 **IMPORTANT:** You must wait 21 days after delivering notices before filing the probate application.

STEP 5 — ADVERTISE FOR CREDITORS

- Publish Notice to Creditors in the BC Gazette (required under WESA s. 154)
- Wait for the creditor notice period to expire
- Review all creditor claims received
- Do not distribute any estate assets until complete

 **CAUTION:** *This step is commonly missed. Distributing assets before paying all legitimate creditors can make you personally liable — even for debts that surface after distribution.*

STEP 6 — FILE THE PROBATE APPLICATION

File at the BC Supreme Court registry where the deceased last lived.

Documents required:

- Form P1 (with will) or P2 (without will)
- Form P3 — Affidavit of Applicant
- Form P9 — Affidavit of Delivery (proof of notice served)
- Form P10 or P11 — Affidavit of Assets and Liabilities
- Original will (if applicable)
- Certified copy of Death Certificate
- Court filing fee: \$200
- Probate fee payment (based on estate gross value)

After filing: Grant typically issues in 3–6 months.

Errors in the application restart this clock.

PART 2: AFTER THE GRANT


Steps 7–11 — Your Responsibility as Executor

STEP 7 — MANAGE THE ESTATE WHILE WAITING

- Pay ongoing expenses from estate account (mortgage, utilities, insurance, strata)
- Manage and protect investments — no speculative decisions
- Track all income received by the estate
- Begin gathering tax records for Step 8

STEP 8 — TAX RETURNS AND CRA CLEARANCE

- File deceased's final T1 personal tax return (Jan 1 to date of death)
- File any outstanding returns from prior years (up to 6 years)
- File T3 Estate return if estate earns income after death
- Apply to CRA for Clearance Certificate (Form TX19)

 **WARNING:** Do not distribute assets until the Clearance Certificate is received.

If you distribute without it and CRA later finds a tax debt, you can be held personally liable for the full amount — even if you no longer have the assets.

STEP 9 — PAY ESTATE DEBTS IN ORDER

Pay in this priority order only:

- 1. Secured creditors (mortgage, liens)
- 2. Funeral and burial expenses
- 3. Administration costs (legal, accounting, appraisals)
- 4. CRA and provincial tax debts
- 5. Unsecured creditors (credit cards, lines of credit)

Do not pay beneficiaries until all debts are cleared.

STEP 10 — DISTRIBUTE TO BENEFICIARIES

- Confirm Grant of Probate is in hand
- Confirm CRA Clearance Certificate received
- Confirm all debts and taxes paid
- Distribute per the will (or BC intestacy rules if no will)
- Transfer real property at Land Title Office using the Grant
- Obtain signed Receipt and Release from each beneficiary
- Keep copies of all distribution records

Executor's year: Beneficiaries generally cannot demand distribution within the first year of the date of death.

STEP 11 — CLOSE THE ESTATE

- Prepare final accounting:
 - All estate income received
 - All expenses paid
 - All assets distributed, to whom, in what amount

- Provide final accounting to all beneficiaries
 - If approved: obtain signed releases
 - If disputed: seek court approval (passing of accounts)

- File final documents with probate court


- Keep all estate records for minimum 6 years




Questions About Probate in BC?

Cube Law Corporation assists executors and administrators with the BC probate application process. Fixed-fee service — you know the full cost before you begin.

Book a Free Probate Consultation

 cubelaw.ca/surrey-probate-lawyer/

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