

Selling an Estate or Probate Home in Wellington North

An Executor's Step-by-Step Checklist & Guide for Mount Forest, Arthur, Kenilworth and Rural Wellington North

Being named the executor or estate trustee of a loved one's estate is a significant responsibility, and selling the family home is often the largest task you will face. This guide walks you through every phase - from securing the property and navigating probate, to preparing the home, understanding the tax implications, and distributing the proceeds. Use the checklists throughout to stay organized and protect the value of the estate.

What's Inside This Guide

1. The Executor's First Steps (Securing the Estate)
2. The Ontario Probate Process Checklist
3. Preparing the Estate Home for Sale
4. Pricing & Marketing an Estate Property
5. Legal & Tax Considerations
6. Closing & Distribution Timeline

Have Questions? Talk to Kevin Directly.

Kevin Flaherty has 38 years of experience helping Wellington North families navigate estate sales.

Call or Text: 226-270-6433

Free Home Evaluation: flaherty.ca/homeeval

1. The Executor's First Steps

The moment you are confirmed as the estate trustee, your duty to preserve the estate's assets begins. Acting quickly to secure and protect the home prevents costly problems later - especially during Wellington North winters. Work through the checklist below in the first few weeks.

Secure the Property

- ☐ Change all exterior locks and secure any outbuildings, barns, or sheds.
- ☐ Locate and safeguard keys, garage remotes, and alarm codes.
- ☐ Forward the mail and cancel newspaper or recurring deliveries.
- ☐ Remove any visible valuables and important documents for safekeeping.

Protect with Insurance & Utilities

- ☐ Contact the home insurer immediately - most policies have a 30 to 60 day vacancy clause.
- ☐ Switch to a specialized vacant home insurance policy if needed.
- ☐ Keep utilities (heat, hydro, water) active to prevent freezing and deterioration.
- ☐ In winter, maintain heat at a minimum or professionally winterize the plumbing.
- ☐ Arrange ongoing lawn care, snow removal, and regular property check-ins.

Gather Key Documents

- ☐ Obtain multiple certified copies of the death certificate.
- ☐ Locate the original will and any codicils.
- ☐ Find the property deed, survey, and recent property tax bills.
- ☐ Collect mortgage statements and details of any liens on title.
- ☐ For rural homes: locate septic records, well water tests, and WETT certificates.

2. The Ontario Probate Process Checklist

Probate is the court process that validates the will and confirms your legal authority as estate trustee. In Ontario, you will typically need a Certificate of Appointment of Estate Trustee before you can transfer title to a buyer. While the initial court approval can take 6 to 8 weeks, the full probate and estate administration process usually spans 8 to 12 months.

Applying for Probate

- ☐ Confirm whether probate is required (solely-owned property almost always requires it).
- ☐ Retain an estate lawyer to prepare the application, if desired.
- ☐ Complete the inventory and valuation of all estate assets.
- ☐ Calculate the Estate Administration Tax (roughly 1.5% of estate value over \$50,000).
- ☐ File the application with the Ontario Superior Court of Justice.
- ☐ Order multiple certified copies of the Certificate of Appointment once issued.

Selling During Probate

- ☐ You may list and accept an offer before probate is granted.
- ☐ Ensure the Agreement of Purchase and Sale includes a 'probate clause'.
- ☐ Set the closing date far enough out to allow the certificate to be issued.
- ☐ Keep buyers informed of the probate timeline to avoid surprises.

Key Deadlines to Remember

- ☐ File the deceased's final tax return (generally within 6 months of death).
- ☐ File the Estate Information Return within 180 days of receiving the certificate.
- ☐ Obtain a CRA clearance certificate before distributing funds to beneficiaries.

3. Preparing the Estate Home for Sale

Estate homes often hold decades of belongings and deferred maintenance. Your goal is to present a clean, neutral property that maximizes value without overspending estate funds. For most estate sales, decluttering and light cosmetic updates deliver the best return.

Clearing the Home

- ☐ Divide belongings into four categories: keep, sell/auction, donate, and discard.
- ☐ Distribute sentimental items among family members early to reduce friction.
- ☐ Hire a professional estate sale company or junk removal service for the bulk.
- ☐ Keep records of any items sold for the estate accounting.

The As-Is vs. Renovate Decision

- ☐ Get a Realtor's opinion on which repairs offer real return on investment.
- ☐ Prioritize low-cost, high-impact updates: fresh neutral paint and deep cleaning.
- ☐ Address glaring safety issues and obvious deferred maintenance.
- ☐ Confirm all beneficiaries agree before spending estate funds on major renovations.
- ☐ Consider an 'as-is' sale if the timeline is tight or capital is limited.

Final Presentation

- ☐ Lightly stage key rooms so buyers can picture themselves living there.
- ☐ Maximize natural light - clean windows and open blinds.
- ☐ Tidy the yard, gardens, and exterior for strong curb appeal.
- ☐ Gather warranties and manuals for any updated systems or appliances.

4. Pricing & Marketing an Estate Property

Accurate pricing is critical. Overpricing causes an estate home to sit and grow stale, ultimately lowering the final sale price. A data-driven valuation and broad online exposure attract the strongest pool of buyers.

- ☐ Obtain a comparative market analysis based on recent local sales.
- ☐ Establish the date-of-death Fair Market Value for tax and probate filings.
- ☐ Set a competitive list price - do not discount simply for probate delays.
- ☐ Invest in professional photography, floor plans, and online marketing.
- ☐ Use Video Narrated VR Animated Online Showings to pre-qualify buyers online.
- ☐ Minimize disruption by reducing unnecessary in-person showings of a vacant home.

5. Legal & Tax Considerations

Canada has no inheritance tax, but the CRA applies a 'deemed disposition' at death. The estate - not the beneficiaries - is responsible for any capital gains tax owed. Always confirm your specific situation with an estate lawyer and tax professional.

- ☐ Establish the date-of-death valuation as the tax benchmark.
- ☐ Determine if the Principal Residence Exemption eliminates capital gains tax.
- ☐ Remember beneficiaries only owe tax on gains after the date of death.
- ☐ Disclose all known material latent defects to buyers.
- ☐ Avoid selling below market value to family without all beneficiaries' written consent.
- ☐ Keep detailed records of all decisions, appraisals, and offers.

6. Closing & Distribution Timeline

Once you accept an offer, the transaction moves through a conditional period and toward a firm closing. For estate sales, the closing must align with the probate timeline. The table below outlines the typical phases.

Phase	Typical Time	What Happens
Offer & Conditional Period	5-10 business days	Buyer secures financing and completes the home inspection.
Deal Becomes Firm	Same day conditions met	All conditions waived; the sale is binding.
Closing Period	30-60 days	Lawyers exchange documents; must allow time for probate if not yet granted.
Closing Day	Single day	Title transfers to the buyer and sale proceeds are released to the estate.
Distribution	After CRA clearance	Pay all debts and taxes, then distribute remaining funds to beneficiaries.

Final Distribution Checklist

- ☐ Pay all outstanding estate debts and taxes.
- ☐ Prepare a detailed accounting for all beneficiaries.
- ☐ Transfer specific gifts named in the will.
- ☐ Distribute remaining proceeds and obtain signed receipts.
- ☐ Retain estate records for at least six years.

Ready to Sell the Estate Home? Let's Talk.

Kevin Flaherty - Broker, eXp Realty. 38 years of experience and over \$500M in real estate sold.

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Book a Call: flaherty.ca/kevinscalendar

This guide is for general information only and does not constitute legal, tax, or financial advice. Always consult a qualified estate lawyer and tax professional for guidance specific to your situation.