OPINION & EDITORIALS

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"The Simple Question Process"

By Bruno Scanga

Appointing an executor may be one of the most important decisions related to an estate plan. Being trusted as an executor to carry out someone's wishes after they've passed can be one of the biggest responsibilities an individual can take on. Estate administration is ever evolving and is more challenging today than ever before. Understanding what may be in store for a future executor can be helpful for those choosing one and those being chosen for this critical role.

An executor is usually a person but can also be a trust company named in a will. The executor collects and oversees estate assets, pays the deceased's debts, and divides what remains of the estate among beneficiaries named in the will to inherit the estate. There can also be more than one named executor (co-executors or alternate executors).

Duties and liabilities of an executor

The duties of an executor can be broad and span multiple years. As a starting point, provide a robust list of tasks for your reference to help keep you on track.

The process starts when a person passes away. The executor may be part of making funeral arrangements and collecting important documentation such as the deceased's will and tax returns.1 Assets—including financial, physical, and personal effects—will need to be accounted for and safeguarded on behalf of the estate's beneficiaries. Contacting various third parties can be important and time-consuming to make sure all bills are paid, accounts closed, and insurance claims are made.

Before distributions can be made, it's important for the executor to address the deceased's creditors and complete all tax returns. Should any claims be made against the estate (for example, dependent's relief), the executor must remain neutral when working towards a resolution. Generally, the executor is not personally liable for the deceased's debts or any financial obligations of the estate. However, an executor can be found personally liable if the estate assets are distributed to beneficiaries before payment of all estate debts. In such cases it's important to resolve all outstanding estate debts before making a final distribution to beneficiaries.

At various points in the estate administration process, the executor may find that professional help is required. Where appropriate and necessary, the executor can enlist the help of an accountant or lawyer to help with tax returns or legal issues that may arise. Such professional services are expenses for the estate and not for the executor personally.

Finally, after the assets of the estate are collected, all debts and taxes are paid, and claims against the estate are settled, the executor can distribute the remaining value of the estate to the beneficiaries according to the instructions in the will.

Insolvent estate and declining to act

What happens if the estate doesn't have enough assets to cover the deceased's liabilities? When an estate is insolvent, provincial legislation may dictate the order of distribution from the estate, including prioritizing the payment of various expenses. Given the significant challenges that come with an insolvent estate, an executor may consider simply declining to act.

An executor can decline to act for solvent estates as well. It's important for an executor to make this decision prior to acting in any capacity for the estate. The process for declining (or being removed as an executor after acting) can be difficult and costly. This can be avoided by having a frank discussion with the person considering naming you as executor while that person is alive.

Executor compensation

An executor is entitled to compensation, which would be taxable income for the executor. Generally, this compensation is a percentage of the estate's assets, ranging from 1% to 5% of the deceased's estate.

Fair compensation for an executor's services is based on many factors, including (but not limited to):

Gross value of the estate

Complexity of the work involved

mount of skill, time, and specialized knowledge required.

Clarifying executor compensation in your will can avoid potential conflicts with beneficiaries and may help reduce the tax burden for the executor.

Considerations for choosing an executor

When deciding who should be your executor, consider these questions:

Do they have the time to devote to estate administration?

Are they willing and able?

Do they possess integrity, objectivity, and good judgment?

Are they financially and administratively inclined?

Are they familiar with your affairs?

Ideally, your chosen executor will be a resident of the same province as you. Having an executor living in another province or country can add delays, complexity, and costs to your estate administration. It can also make the already difficult role of executor even more challenging.

Individuals such as a spouse, family member, or friend may be cost-effective choices, but consider whether they have the skills to administer your estate and manage the expectations of your beneficiaries. A lawyer, accountant, or trust company may cost more, but they may have the skills and resources necessary to manage all the tasks before them.

The role of the executor is growing in scope and complexity. Estate administration may take years to complete. Assets of the estate may be numerous and located in multiple jurisdictions around the world. As such, care should be taken when naming an executor (including co-executors and alternate executors) who's willing and able to see your wishes through.

Executors, you're not alone. You can enlist the help of professionals to guide you through the challenging aspects of the estate. Remember, the role of the executor is a critical one; at times rewarding, but not without its challenges.

Understanding what may be in store for a future executor can be helpful for choosing one and for being chosen for this critical role.



Contract Awarded for the Bowmanville Hospital Redevelopment Project

CLARINGTON, November 5, 2026 – Lakeridge Health, in partnership with the Ontario government and Infrastructure Ontario, has awarded PCL Partnerships the contract to design, build, and finance the redeveloped Bowmanville Hospital. Today's news signifies a green light for construction to move forward this Fall.

Lakeridge Health and Infrastructure Ontario selected the team after carefully reviewing proposals through an open, fair and competitive process. The redevelopment will create opportunities for local businesses and workers, including direct employment and skilled unionized trades, with BuyOntario provisions included in the contract.

The redevelopment will more than double the size of Bowmanville Hospital, helping more people receive care close to home. Among the updates, the expanded hospital will include private patient rooms, new clinics for patients who do not need an overnight stay, a haemodialysis centre for people with kidney disease, a rooftop helipad, Level 3 critical care capacity, the highest level of care provided in hospitals for patients who are critically ill or injured, and more.

PCL Partnerships will begin mobilizing to prepare the site this fall, marking the first step toward major construction in the new year. Bowmanville Hospital will remain open and continue providing care throughout construction.

"Today marks a defining moment for the Lakeridge Health Bowmanville Hospital and the future of health care in Durham Region. Our Bowmanville site is an important campus in the Lakeridge Health network of excellence, and the new hospital is part of our plan to respond to the significant needs of our growing communities. We have a responsibility to ensure health care grows with them. This redevelopment is about more than building a larger hospital. It's about creating the space, services, and capacity to deliver exceptional care, closer to home, for generations to come. We're grateful to the Government of Ontario, Infrastructure Ontario, our municipal and regional partners, the Bowmanville Hospital Foundation and our community for helping turn this long-awaited vision into reality."

Cynthia Davis, President and CEO, Lakeridge Health

"Our government is making historic investments as part of our $236 billion capital plan to build the hospitals, roads, transit and other critical infrastructure Ontario needs to support growing communities. Today's contract award for the Bowmanville Hospital redevelopment is an important step forward that will help expand access to care, create good-paying jobs and ensure families in Durham Region can receive high-quality health services closer to home for years to come."

Hon. David Piccini, Ontario Minister of Infrastructure

"Our Ontario government has invested nearly $60 billion over ten years for major health infrastructure and this announcement for the Bowmanville Hospital Redevelopment project signifies the commitment to get shovels in the ground for this much needed expansion. The successful expansion of the Bowmanville Hospital will make a significant contribution to the health and well-being of our community by expanding access to healthcare services, improving essential medical procedures and securing patient-first healthcare in the years to come."

Hon. Todd McCarthy, MPP, Durham

GOVT INVESTS OVER $200K IN HELPING DURHAM FAMILIES WITH DISABLED CHILDREN NEED TO SUCCEED

Durham Region and other GTA areas will be receiving a grant of $213,700 through Ontario Families for Disability Justice over the next three years to help support parents, guardians and caregivers of children and youth with autism and intellectual/developmental disabilities says the provincial govt.

The Ontario government is investing more than $13 million through the Youth Opportunities Fund to support nearly 40 youth-focused projects across the province. Delivered by the Ontario Trillium Foundation, the grant program will support grassroots initiatives that help children, youth and families gain new experiences, access mentor and leadership programs and develop the critical skills they need to succeed.

"Local volunteers and community leaders are the backbone of thriving communities," said Michael Parsa, Minister of Children, Community and Social Services. "That's why our government is investing in grassroots initiatives that are making a real difference, helping more children, youth and families reach their full potential."

The Youth Opportunities Fund provides funding through three streams:

The Youth Innovations Stream supports youth-led projects that help young people facing social and economic barriers with the resources they need to design and deliver solutions to issues that matter to them.

The Family Innovations Stream invests in grassroots groups delivering culturally-anchored projects that empower and support parents, guardians, and caregivers.

The System Innovations Stream supports organizations working to research how specific systems work and implement strategies that lead to system-wide changes and improvements.

Together, these investments connect young people and families to the supports and community resources they need to succeed. Funding recipients also receive specialized coaching, mentorship and networking opportunities to maximize their impact.

This year's recipients will deliver programs that:

Encourage youth to stay engaged in school, build skills and transition into employment.

Provide mentorship and employment supports, including job shadowing and career guidance

Connect youth and families to community programs, services and cultural supports that strengthen family well-being and community ties

Examples of community-led projects being supported through the Family Innovations and Youth Innovations grant streams include:

Ontario Families for Disability Justice will receive a grant of $213,700 over three years to strengthen the well-being, confidence and support networks of parents, guardians and caregivers of children and youth with autism and intellectual/developmental disabilities (IDD) in the Greater Toronto and surrounding areas. Through crisis navigation supports, peer support circles, educational workshops, and systems navigation assistance, participants will build the knowledge, skills, and confidence needed to navigate education, healthcare, mental health, child welfare, and justice systems while advocating effectively for their children.

The Vision Quest Project will receive a grant of $299,000 over three years to strengthen Indigenous family wellness, parenting knowledge, cultural reconnection and community support networks for Indigenous parents in the Muskoka and Renfrew regions. Through virtual workshops led by an Indigenous social worker, Elder-led sharing circles, family-centred cultural retreats, traditional skills learning, and individualized support, parents will build resilience, strengthen family relationships, and reconnect with Indigenous teachings and community values.