

## CONCLUDING PGT COMMITTEESHIPS

# Role of Estate Liaison

### WHAT IS THE ESTATE LIAISON DEPARTMENT?

The Estate Liaison Department is part of the Services to Adults Division of the Public Guardian and Trustee of British Columbia (PGT). Estate Liaison becomes responsible for finalizing and transferring client assets when a client becomes capable, has a private committee appointed or dies.

### WHAT HAPPENS WHEN A CLIENT IS DECLARED CAPABLE?

When a client is declared capable by the Court or by Certificate of Capability under the *Patients Property Act*, Estate Liaison gives capable client files priority service to expedite the transition of the client's assets to the client. The client's assets are transferred to the client following receipt of a copy of the Court Order or Certificate of Capability. Capable clients are provided with their financial information, status of any existing legal matters, priority issues, and helpful community resources and contacts to ensure a smooth and successful transition to independent living.

### WHAT HAPPENS WHEN A PRIVATE COMMITTEE IS APPOINTED?

When the Court appoints a Private Committee, Estate Liaison transfers the client's assets to the Private Committee following receipt of a copy of the Court Order. The transfer of client assets to the Private Committee as well as the transfer of the file to Private Committee Services is given priority service. Estate Liaison assists the Private Committee to understand the role of Private Committee Services and provides the name of the Committee Review Officer with whom the Private Committee will be working. Estate Liaison provides Private Committees with the client's financial information, status of any existing legal matters, priority issues, and helpful community resources and contacts to ensure a smooth and successful transition to the Private Committee.

### WHAT HAPPENS WHEN A CLIENT DIES?

#### Funeral Arrangements

A client's family members are encouraged to consult with the PGT Client Services Case Manager when making funeral arrangements. When there is no executor or family member, the Case Manager may make funeral arrangements. After the funeral, the file is transferred to Estate Liaison and an Estate Liaison Officer is assigned responsibility.

#### Initial Steps in Estate Liaison

When a deceased adult client file is transferred to the Estate Liaison Department, Estate Liaison:

- obtains a death certificate,
- notifies all income sources, creditors and Canada Customs and Revenue Agency,
- locates the executor or next-of-kin qualified to administer the estate,

Estate Liaison Department  
Public Guardian and Trustee  
#700 - 808 West Hastings Street  
Vancouver, BC V6C 3L3



Phone: 604-775-0368  
Fax: 604-775-0459  
Website: [www.trustee.bc.ca](http://www.trustee.bc.ca)  
Toll-Free: Enquiry BC at 1-800-663-7867

- provides information to the executor or next-of-kin on what is required in order to be appointed by the Court to administer the estate, and
- reviews the history of PGT management of the client's finances.

The primary role of Estate Liaison is to preserve the assets of the deceased client's estate. Decisions to spend the deceased client's funds are usually only made with the consent of the executor or next-of-kin.

### Length of Time

It generally takes 6-18 months for an executor or administrator to obtain a grant of Letters Probate or Letters of Administration. Once the PGT receives a copy, estate assets are generally transferred within two weeks.

### Transfer of Estate

The estate may be transferred in one of two ways:

- Estates under \$10,000 – The PGT may release funds without the Court appointing an executor or administrator. In these cases, the PGT requires that an indemnity form be signed by the person(s) entitled to receive the funds.
- Estates greater than \$10,000 – The PGT requires a copy of the Court-issued Letters Probate or Letters of Administration (which appoints a new legal representative, replacing the PGT's authority) to transfer the estate funds. The PGT requests that a release be signed by the executor or administrator.

### PGT Legal Authority During Transition

Under Section 24 of the *Patients Property Act*, the PGT continues with the authority as Committee even after the death of a client until an executor or administrator is appointed by the Court. However, the exercise of this authority is limited. During this period, Estate Liaison conducts the day-to-day management associated with maintaining and preserving the estate's assets.

### When Executor or Next-of-Kin Cannot be Located

Where no executor or next-of-kin can be located, the Estate Liaison Department will either transfer the estate to the Official Administrator or to the BC Unclaimed Property Society (UPS). The PGT is the Official Administrator for the Province of BC and the PGT's Estate and Personal Trust Services (EPTS) Division carries out the responsibilities of the Official Administrator. Decisions on transferring to the Official Administrator or the UPS depend on the likelihood of the Official Administrator being able to locate the heirs of the estate. If client assets have been transferred to the UPS, a claimant should contact UPS directly at (toll-free) 888-662-2877 or [info@bcunclaimedproperty.bc.ca](mailto:info@bcunclaimedproperty.bc.ca).

### **WHAT FEES ARE CHARGED BY THE PGT?**

All clients are charged fees and commissions in accordance with the *Public Guardian and Trustee Fee Regulation*. Fees are currently 5% capital commission, 0.4% asset management fee, and 5% income commission.

In addition to the above fees, when the Estate Liaison Department continues to manage a deceased client's estate, an administrative fee of a \$100 per month is charged until the office receives a copy of the Letters Probate or Letters of Administration confirming the appointment of a new legal representative or releases from all of the heirs of the estate.