

CLEO's Wills & POA Resources

Helen Anderson & Misha Hossain

Powers of Attorney resources – stepstojustice.ca



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Steps to Justice
Your guide to law in Ontario

Legal Topics ▾

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Latest Updates



Wills and Powers of Attorney

Wills

Power of Attorney for Personal Care

Power of Attorney for Property



Wills and Powers of Attorney

Power of Attorney for Property

 Try these tools ▾



Use our [Guided Pathways](#) to make a Power of Attorney to give someone power to make decisions about your property.

Read these [tip sheets](#) to learn what you need to make a will or power of attorney.

 Try these tools ▾

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 **Guided Pathways**

 **Guided Pathway to make a power of attorney**

Make or cancel a power of attorney.

 **Tools & Resources**

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Power of Attorney for Property

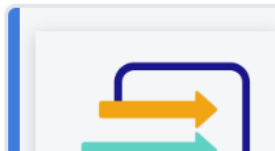


Do I need a Power of Attorney for Property?

NEXT STEPS

1. Think about what you need >
2. Understand how an attorney makes decisions >
3. Learn what can happen if you don't have a Power of Attorney >
4. Get legal help >

A **Power of Attorney for Property** is a legal document that lets you choose someone you trust to make decisions for you about your money and property.



Guided Pathway to make a power of attorney
Make or cancel a power of attorney.



Find Services



Related Questions

How do I make a Power of Attorney for Property?

Can I change or cancel my Power of Attorney for Property?

How do I find a lawyer or paralegal to help with my legal problem?



Guided Pathways



Guided Pathway to make a power of attorney

Make or cancel a power of attorney.



Print



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All Power of Attorney for Property questions

- Do I need a Power of Attorney for Property?
- How do I make a Power of Attorney for Property?
- Can I change or cancel my Power of Attorney for Property?
- What does an attorney for property have to do?



All Power of Attorney for Personal Care questions

- Do I need a Power of Attorney for Personal Care?
- How do I make a Power of Attorney for Personal Care?
- Can I change or cancel my Power of Attorney for Personal Care?
- What does an attorney for personal care do?

Power of Attorney Tipsheets



Preparing your Power of Attorney for Personal Care

This tip sheet helps you gather information to make a **Power of Attorney for Personal Care**. This is a legal document that lets someone, called your **attorney**, make decisions about your personal care and health care.

Your attorney can make decisions **only** if you are **not** mentally capable. Being mentally capable means that you understand:

- the information you need to make a decision about treatment or personal care, and
- what could happen if you do or do not make that decision.

Personal care decisions can include where you live, what you eat, what you wear, your washing and bathing, and keeping you safe.

Health-care decisions may be about medical treatments or personal care services in a long-term care home.

Talk to a lawyer about any questions you have.

Choose your attorney	Tips
☐ Choose a suitable person. Ask if they agree to be your attorney.	Your attorney can be a family member, a close friend, or anyone else you trust. Think about who will: • be available when you need them • talk to you about your wishes • understand your personality, values, and beliefs • be able to make decisions based on what they think you would want
☐ Decide if you want more than one attorney. If you do, say how they will make decisions.	

This tip sheet gets you started. You will need more information about powers of attorney.

Read more at stepstojustice.ca/POA-PC.

And there are different ways to make a power of attorney.

Check out CLEO's Guided Pathway for making a power of attorney at stepstojustice.ca/GP-POA.

Preparing your Continuing Power of Attorney for Property

This tip sheet helps you gather the information you need to make a **Continuing Power of Attorney for Property**. This is a legal document that lets someone make decisions about your property. That person is called your **attorney**.

Unless you say something different in your Continuing Power of Attorney for Property, your attorney can manage your property while you are mentally capable. And they continue doing this if you become incapable.

You are **mentally capable** of managing your property when:

- you understand information that relates to making a decision about your property, and
- you know what is likely to happen if you make or do not make a decision and what that means.

Talk to a lawyer about any questions you have.

This tip sheet gets you started. You will need more information about powers of attorney.

Read more at stepstojustice.ca/POA-Property.

And there are different ways to make a power of attorney.

Check out CLEO's Guided Pathway for making a power of attorney at stepstojustice.ca/GP-POA.

Choose your attorney	Tips
☐ Choose a suitable person. Ask if they agree to be your attorney.	Choose an adult you trust to manage your property. It is best if they live in Ontario.
☐ Decide if you want more than one attorney. If you do, say how they will make decisions.	This might be a family member or close friend. Or you could choose a professional like a lawyer, accountant, or trust company. Your attorney must make sure that your finances are looked after. This includes financially supporting you and your dependants, paying your debts, and making any ongoing payments like a lease.



Health and Disability

Continuing Power of Attorney for Property

A **Power of Attorney for Property** is a legal document that lets someone make decisions about your property. This person is your **attorney**. In Canada, attorney does not usually mean lawyer.

Property includes your money and everything you own. It also includes anything that only you have the right to use, such as an apartment you rent or a car you lease.

There are **2 types** of Powers of Attorney for Property.

Continuing Power of Attorney for Property

This pamphlet talks about a **Continuing Power of Attorney for Property**. This power of attorney lets your attorney act for you if you are mentally capable. And they **continue** to act if you become mentally incapable of managing your property.

If you want your attorney to act for you **only** when you are **mentally incapable**, you can say this in your power of attorney.

General Power of Attorney for Property

A **General Power of Attorney for Property** lets your attorney manage your property only while you are mentally capable. For example, you might want to do this for a limited time while you are sick or on vacation.



Wills and Powers of Attorney



Power of Attorney for Personal Care

A **Power of Attorney for Personal Care** is a legal document that lets someone make decisions about your health and personal care. This person is called your **attorney**.

Read about giving someone power to make decisions about property in **Continuing Power of Attorney for Property**. Order it for free or read it online at cleo.on.ca/POA-P.

Read about making a **will** to say who gets your property when you die. Visit stepstojustice.ca/wills.

When does my Power of Attorney for Personal Care start working?

It starts working when you're no longer mentally capable of making some or all decisions about your health and personal care.

You're mentally capable of making a decision about your health and personal care when you understand:

- the information you need to make the decision, and

Guided Pathway for creating a power of attorney



MY PROGRESS: Who is this guided interview... ▾

SAVE AND EXIT

Who is this guided interview for?

You can use this interview to make:

- a **Continuing Power of Attorney for Property**
- a **Power of Attorney for Personal Care**
- a **revocation of a past Power of Attorney**

You can click on the names of these documents to learn more about them.

Don't use this interview if:

- you're younger than 16 and want to make a Power of Attorney for Personal Care.
- you're younger than 18 and want to make a Power of Attorney for Property.
- you don't live in Ontario.
- you want to express wishes about what will happen after you're dead. To do that, you'll most likely want to create a will. If you want to be an organ-donor, you can sign up on [the Government of Ontario website](#).

Continue

3 Personal information

2 Choosing a Power of Attorney

1 Introduction



Make a will

Show: All ques

What is a will and what happens if I die without making one?

What do I need to think about when making a will?

What are probate fees and can I reduce them?

When should I update my will?

No will

What is a will and what happens if I die without making one?

I'm married. What happens if I die without a will?

I'm not legally married. What happens if I die without a will?

My loved one died without a will. Can I apply to be their estate trustee?

How do I apply to be an estate trustee without a will?

Beneficiaries

What can I do if someone died and I do not agree with what I'm getting from the estate?

Estate trustee with a will

I've been named an estate trustee in a will. What do I have to do?

I've been named estate trustee in a will. How do I apply for a certificate?

Estate trustee without a will

My loved one died without a will. Can I apply to be their estate trustee?

How do I apply to be an estate trustee without a will?



Preparing your will

This tip sheet helps you gather the information you need to make a **will**. A will is a legal document that says what happens to your property after you die.

If you die without a will, the law says what happens to your property.

Talk to a lawyer about any questions you have.

This tip sheet gets you started. You will need more information about wills. Visit stepstojustice.ca/wills.

And there are different ways to make a will. Check out CLEO's Guided Pathway for making a will at stepstojustice.ca/GP-wills.

Choose an estate trustee	Tips
☐ Choose a suitable person. Ask if they agree to be your estate trustee.	Your estate trustee carries out the directions in your will. They may also be responsible for other things that must be done when you die, like arranging your funeral and paying your debts and taxes.
☐ Decide if you want more than one estate trustee. If you do, say how they will make decisions.	There are rules your estate trustee must follow. For example, if they do not manage the estate properly, a beneficiary or someone else could take them to court. It is a big responsibility and can last for years.
☐ Decide if you want a substitute estate trustee.	Choose a reliable adult you trust. It is best if they live in Ontario. They can be a friend or family member. Or you can choose a trust company or a professional like a lawyer or an accountant.
☐ Get the full legal name and contact information, including a mailing address, for all your estate trustees. And get any other names they used in the past.	If you name more than one estate trustee, they must make all decisions together. You can change this in your will. For example, you could say which one decides if they do not agree. A substitute estate trustee acts if your other estate trustees are not willing or able to. The law says that an estate trustee can take "fair and reasonable" pay for their work, unless you say something else in your will. The law sets a rate for how much this usually is. It is paid from your estate.

Available in:

- English
- French
- Arabic
- Simplified Chinese
- Tamil

Guided Pathway for creating a simple will



MY PROGRESS: About this guided interview The next... ▾

SAVE AND EXIT

About this guided interview

The next few pages have important information about how this guided interview works and who it's for.

After these screens, there is a short introduction which will walk you through how a will works.

What this interview does

This interview helps you create a simple **will**. A will is a legal document that says who gets your **estate** after you die. The **property** you own at the date of your death is called your **estate**. A will also lets you leave directions about things like who you would like to be guardian of your **minor children** or who you want to take ownership of your pets.

If you're not sure whether or not to use this interview, talk to a lawyer before you start.

Continue

Helping someone create a will

Learn More

2

Choosing executors

1

Personal information

↶

Introduction

Get these resources

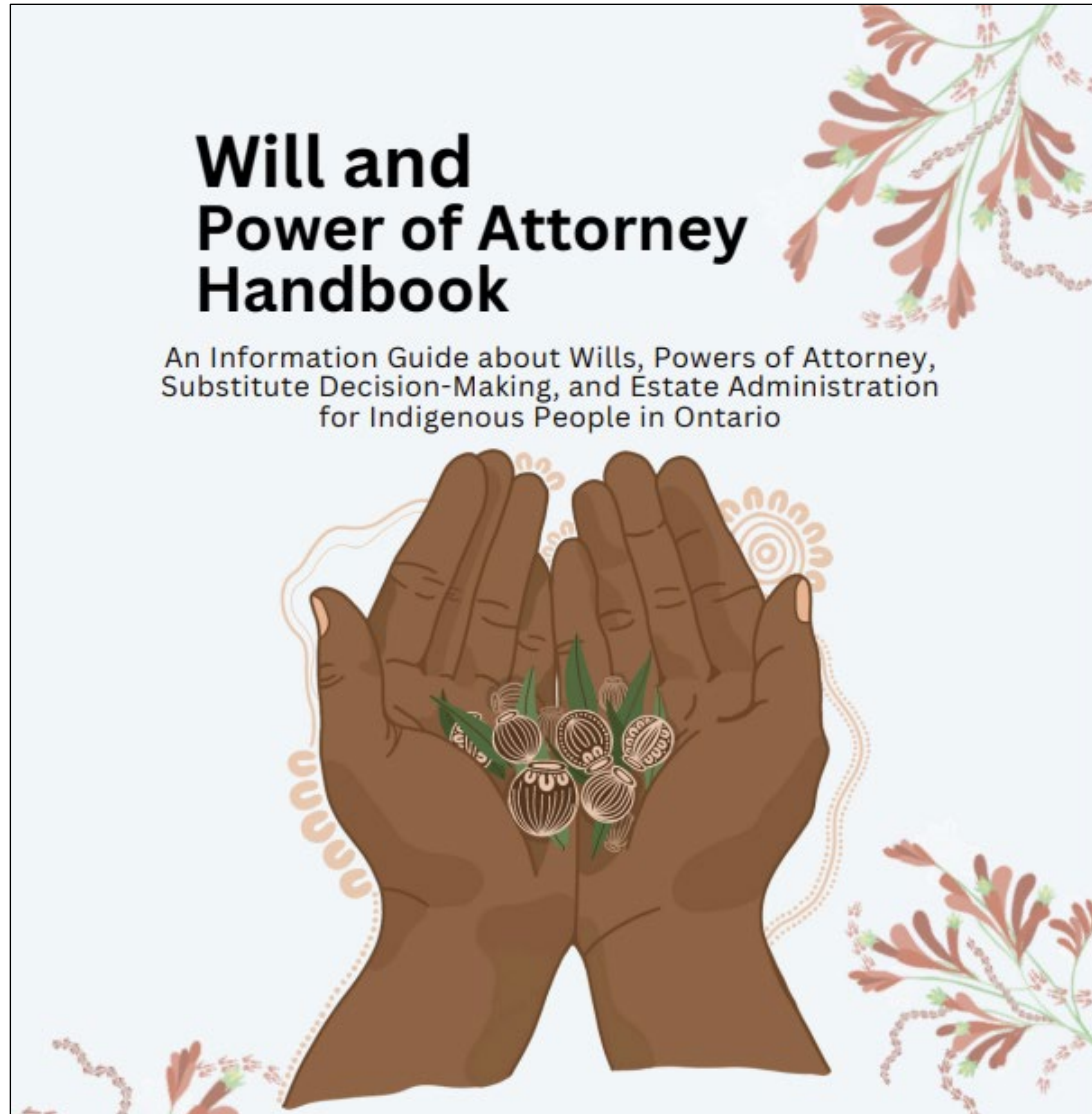


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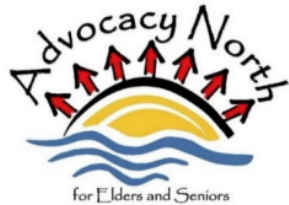
stepstojustice.ca/gp

cleo.on.ca

Information Guide for Indigenous People in Ontario



Creating a will while living on a reserve



Advocacy North for Elders & Seniors
Sudbury Community Legal Clinic
272-40 Elm Street
Sudbury, Ontario

Building a Basic Will while Living on a Reserve

Will Kit



[ABOUT PBO](#)[GET LEGAL HELP](#)[VOLUNTEER](#)[BLOG](#)[CONTACT US](#)[DONATE](#)[#100PERCENTA2J](#)[GATEWAY REPORT](#)

Powers of Attorney

THE HOTLINE CAN HELP YOU CREATE POWERS OF ATTORNEY

Would you like help creating a Power of Attorney? Do you have questions about Powers of Attorney that you would like to ask a lawyer? Call our [Free Legal Advice Hotline!](#) Available Monday to Friday mornings, from 9:00 AM to 1:00 PM.

1-855-255-7256





info@cleoconnect.ca