Inherited Property

A Practical Guide for Heirs in Quebec

01 / UNDERSTANDING THE SUCCESSION

Inheriting a property can bring unexpected responsibilities at an already difficult time. A family home may represent decades of memories. Whether it is a house, condominium, duplex or triplex, begin by gathering reliable information before making commitments.

01 / Establish who can act

In Quebec, the liquidator administers the succession within the powers granted by law and the will. Ask a Quebec notary to confirm the appointment, responsibilities, required consents, registered ownership and steps needed before a sale.

Where applicable, the notary prepares and registers a declaration of transmission. The appropriate registration and the person in whose favour rights are registered depend on the situation; do not assume the succession automatically becomes the registered owner.

Agreement among relatives does not replace legal authority. With several heirs, agree on a contact person, a decision-making process, a budget and who will advance expenses. Record important decisions.

02 / Understand the tax position

At death, capital property is generally deemed disposed of at fair market value, subject to exceptions and rollover rules. Capital gains may arise on the deceased’s final returns, particularly for investment properties, secondary homes or properties not fully covered by the principal residence exemption. A later sale may create a separate gain or loss.

Ask an accountant experienced in succession taxation to review the adjusted cost base, fair market value at death, principal residence eligibility, any rollover, federal and Quebec final returns, later succession filings and clearance requirements. The tax cost to a succession or heir depends on the applicable rules.

03 / Gather essential documents

Legal and financial: will, death certificate, proof of the liquidator’s authority, title and transmission documents where applicable; mortgages and other charges; tax bills; insurance; accounting and tax records.

Property: certificate of location, inspection reports, renovation invoices, warranties, permits, plans and condominium documents. For income properties, gather leases, rent records and operating expenses.

Certificate of location

An experienced real estate broker can review the existing certificate and coordinate with your notary to determine whether a new one is needed. Arrange it early when appropriate: land surveyor delays can affect the sale timetable.

04 / Budget for the holding period

Even an empty property incurs costs: mortgage payments, taxes, insurance, utilities, heating, condominium fees, landscaping, snow removal and repairs. Check vacancy conditions with the insurer. Estimate monthly costs and agree on how they will be paid.

Existing tenants and rental value

Ask a broker experienced in income properties to review leases, expenses and actual rents, compare them with market rents and explain an investor’s income, risk and pricing analysis. Quebec rental rules limit possible changes: market rents do not authorize increases to existing rents or automatic lease termination. Refer legal interpretation to a notary or lawyer.

Valuation for tax purposes

A municipal assessment is not necessarily fair market value for tax purposes. Ask whether a retrospective professional appraisal is advisable.

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General information, not legal or tax advice or a certified appraisal. Consult a Quebec notary, accountant or qualified adviser about your circumstances.

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The hardest part is not always the real estate

I know firsthand how difficult it can be to empty a family home. I've been through it myself, and sorting through a lifetime of belongings can be one of the longest and most emotionally demanding parts of the process.

There are photographs you've known since childhood, familiar furniture and little treasures that may have little monetary value but enormous sentimental meaning. You're not simply clearing a house. You're sorting through memories and closing a chapter of your family's history.

It is easy for someone to say, "Just get rid of everything." The reality is different when you are the person standing in that house.

My advice, from personal experience, is to give yourself permission to keep what truly matters without feeling responsible for keeping everything.

A practical, gentle approach

Agree on a manageable number of meaningful keepsakes. Perhaps ten cherished items per person, recognizing that every family is different. Photograph sentimental objects you want to remember but do not need to keep.

Give everyone a reasonable opportunity to choose, then agree on a realistic deadline for clearing the rest. Selling items individually online can require considerable time, coordination and effort. A professional estate-clearance service may be worth the cost, financially and emotionally.

You can honour the memories without keeping every object.

Before listing

- ☐ Authority and required consents confirmed
- ☐ Notary and accountant consulted
- ☐ Certificate of location reviewed
- ☐ Pre-listing inspection considered
- ☐ Preparation budget and payers agreed
- ☐ Keepsakes selected; clearing deadline set
- ☐ Known issues and disclosures reviewed
- ☐ Current market evaluation obtained

Before renovating, consult a broker

Ask an experienced real estate broker which preparation and staging choices suit your property and likely buyers. Before committing to major renovations, agree on costs and timing among heirs. Start with three practical priorities:

1 / Clear and declutter

Remove excessive or oversized furniture and personal collections so buyers can appreciate the space, light and architectural features. You need not empty every room: retain a few attractive pieces, perhaps a bed or two, a sofa and a dining table.

2 / Refresh with neutral paint

Where appropriate, use a soft, neutral colour to create a cleaner, brighter and more consistent presentation. Focus on simplicity rather than expensive decorative changes.

3 / Invest in professional deep cleaning

Give attention to windows, kitchens, bathrooms, floors and overlooked corners. Finish with crisp white linens, neutral accessories and fresh towels. Professional photography brings the presentation together.

These steps can improve presentation with less cost, time and uncertainty than extensive renovations. Returns vary. The purpose is to reveal the property's potential, not disguise its age or condition.

Inspection, disclosures and coordination

An experienced broker can help plan a pre-listing inspection, identify qualified inspectors and coordinate follow-up with the notary or relevant specialists. Inspection may inform pricing and disclosure; it does not reveal every defect or replace a buyer's inspection. Selling without legal warranty does not remove every obligation. Review the clause and known issues with your broker and notary.

Agree among heirs on who approves and pays for the inspection, certificate of location, clearing, cleaning and preparation.

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01 / Sell as is

Ask an experienced real estate broker to establish a current market value using relevant sales and the property's actual condition. Selling as is can reduce upfront costs and delays when work is substantial or funds limited. Buyers may account for repairs and risk; clearing and cleaning can still be worthwhile.

02 / Make selective improvements

Compare the likely price benefit with the full cost, time, risk and carrying expenses. Begin with clearing, cleaning, neutral paint and modest staging before committing to major work. A higher sale price does not necessarily mean a better financial outcome.

03 / Retain the property

Keeping it may suit an heir's housing needs or a viable long-term investment. Consider financing, maintenance, tax, insurance, rental management and shared ownership. Is it sustainable, and is there a workable agreement on decisions and expenses?

Five mistakes to avoid

1. Renovating before understanding market value.
2. Underestimating the cost of delays.
3. Assuming there is no tax exposure.
4. Overlooking condition and disclosure obligations.
5. Letting disagreements postpone every decision.

Your property decision worksheet

Use estimates as a starting point with the liquidator, heirs and professional advisers.

Estimated market value

Mortgage and other debts

Monthly carrying costs

Immediate repairs

Clearing and cleaning

Painting and staging

Survey and inspection

Rental income, if any

Tax considerations

Preparation timeline

Heirs' preferred outcome

Who pays which expenses?

Before you decide, let's talk.

Book a complimentary 15-minute virtual consultation to clarify your property's value, preparation and next steps, without obligation.

Book my complimentary 15 minutes

Request my property evaluation

Consultation optional. No obligation to list or sell.

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