

The settlement of a succession and the Register of personal and movable real rights (RDPRM)

1. What rights must be registered in the RDPRM during the settlement of a succession?

During the settlement of a succession, the law requires certain rights to be registered in the RDPRM. This formality ensures that the heirs, creditors and all other interested persons are informed of important information concerning the succession. Four rights in particular should be registered in the RDPRM:

The designation of the liquidator of the succession

The liquidator of the succession is the person responsible for administering the property of the deceased and settling the succession. The liquidator is designated in the will, by a majority of the heirs, or by a court judgment. The designation is registered in the RDPRM to make the liquidator's name known to any interested person who wishes to assert his or her rights in the succession (for example, a creditor or heir).

The replacement of the liquidator of the succession

The replacement of the liquidator must also be registered in the RDPRM, to notify any interested person (for example, a creditor or heir) that a new liquidator is acting on behalf of the succession.

Closure of the inventory

The liquidator of the succession must produce an inventory of the deceased's property and debts. Once the inventory has been completed, a notice of closure of the inventory (and not the content of the inventory) must be registered in the RDPRM, to notify any interested persons (for example, a creditor or heir) of the place where the inventory may be consulted.

Closure of the liquidator's account

Once the debts of the succession and the legacies by particular title have been paid, the liquidator must produce a detailed account (the final account of the liquidator) to determine the net assets or the deficit of the succession. Once the final account and the partition of the property have been accepted by the heirs, a notice of closure of the liquidator's account (and not the content of the account) must be registered in the RDPRM, to notify any interested persons (for example, unpaid creditors) of the place where the account may be consulted. Registration also confirms that the succession has ended and that the liquidator is discharged from the administration of the succession.

2. How to apply for registration of these rights in the RDPRM?

2.1 The RG form

The registration of these rights is requested using the **General application for registration (RG) form**. The form can be ordered free of charge from the RDPRM website, or can be obtained from the Personal and Movable Real Rights Registry Office (see contact information below).

To register more than one right, separate forms must be used. Only the headings relevant to the nature of the right to be registered should be completed (see overleaf for the headings to be completed). Where a date is required, it must be expressed in numerals in the format YYYY-MM-DD (for example, 1975-05-27).

2.2 Presentation of the form at the RDPRM's Office

- 1) The RG form can be presented in person or by mail at the address at the bottom of the page.
- 2) Include **Form 01** (Service Request Form), indicating your contact information and the payment method used.

If, on examination, the form meets the requirements, the right is registered in the RDPRM and a certified statement of the entry is sent to the person who requested registration. If the form is rejected, the reasons are specified.

2.3 Fees and methods of payment

A fee of \$54* is payable to register each of these rights in the RDPRM. The methods of payment available depend on the way in which the form is presented.

* The fee may be indexed.

Method of payment	Form sent by mail	Form presented at the service counter
Cash	Not available	Accepted
Debit card		
Credit card	Accepted	
Cheque*		
Postal order*		
Bank order*		

* Made out to "Fonds des registres"

3. What is the procedure for consulting these rights in the RDPRM?

It may be useful to consult the RDPRM to find out, for example, if a liquidator has been appointed to settle a succession. A search for rights in connection with a succession is performed using the surname, given name **and** date of birth of the deceased.

To consult or obtain other information, you can visit the RDPRM's website (www.rdprm.gouv.qc.ca) or contact client services using the contact information below.

Designation of the liquidator of the succession or replacement of the liquidator of the succession: headings to be completed

A Nature du droit (Nature of right): under heading 1, indicate "Designation of the liquidator of the succession" or "Replacement of the liquidator of the succession", as applicable.

B Parties (Parties): the deceased and the liquidator of the succession must be named.

↳ Check box "c) Autre, préciser" (c Other (specify)) under heading 4 and enter "deceased". Enter the surname, given name and date of birth of the deceased under headings 5, 6 and 7.

↳ Check box "c) Autre, préciser" (c Other (specify)) under heading 12 and enter "liquidator". Enter the surname, given name and date of birth of the liquidator under headings 13, 14 and 15.

If there is more than one liquidator, use also the Annex "Parties (AP)".

C Référence à l'inscription visée au RDPRM (Reference to registration in the RDPRM): this heading applies **only** for the replacement of the liquidator of a succession.

↳ Enter, under heading 25, the registration number for the designation of the previous liquidator **if** that designation was registered in the RDPRM (ex.: 00-000000-0000).

↳ If the designation of the previous liquidator was not registered in the RDPRM, enter the surname and given name of the previous liquidator under heading "31- Autres mentions" (31 – Other particulars) and specify that this person was acting as the previous liquidator.

D Référence à l'acte constitutif (Reference to constituting act): this heading is used to describe the act in which the liquidator is designated or replaced, as the case may be. If the heirs have reached a verbal agreement and there is no written document recording the designation or replacement of the liquidator, do not complete this heading.

↳ When the designation or replacement of the liquidator is recorded:

- in a document signed by the majority of the heirs or entirely written and signed by the deceased, check box "a) **sous seing privé**" (a **Private writing**) under heading 26 and enter the date of the document, if known, under heading 27;

- in a will drawn up by a notary, check box "b) **notarié en minute**" (b **Notarial act en minute**) under heading 26 and enter the date, place (city where the will was signed), minute number of the notarial act and surname and given name of the notary under headings 27 to 30;

- in a notarial act *en brevet*, check box "c) **notarié en brevet**" (c **Notarial act en brevet**) under heading 26 and enter the date, place (city where the act was signed) and surname and given name of the notary under headings 27, 28 and 30;

- in a judgment, check box "d) **jugement**" (d **Judgment**) under heading 26 and enter the date, the judicial district in which the judgment was rendered, the court record number (ex.: 500-05-000000-001) and the name of the court (ex.: Superior Court) under headings 27 to 30.

E Signature (Signature): the person requesting registration must sign the form. This is generally the liquidator or his or her replacement.

↳ Enter the name of the person signing under heading 32 and sign the form under heading 33.

Closure of the inventory or closure of the account of the liquidator: headings to be completed

A Nature du droit (Nature of right): under heading 1, indicate "Closure of the inventory" or "Closure of the account of the liquidator", as applicable.

B Parties (Parties): only the name of the deceased is required.

↳ Check box "c) Autre, préciser" (c Other (specify)) under heading 4 and enter "deceased". Enter the surname, given name and date of birth of the deceased under headings 5, 6 and 7.

C Autres mentions (Other particulars): as applicable, either the address of the place where the inventory or the account of the liquidator may be consulted is required under heading 31.

D Signature (Signature): the person requesting registration must sign the form. This is generally the liquidator.

↳ Enter the name of the person signing under heading 32 and sign the form under heading 33.

The image shows a form titled "Réquisition générale d'une inscription" (Form RQ-1) from the Québec Register of Personal and Real Property Rights. The form is annotated with letters A through E, corresponding to the instructions provided in the text. The sections and their contents are as follows:

- D.E. NATURE:** Includes heading 1 (Nature of right) and heading 2 (Date of inscription).
- PARTIES:** Divided into two parts (I and II) for the deceased and the liquidator, including headings 4-7 and 12-15 for personal information and heading 31 for other mentions.
- BIENS:** Includes heading 19 (Vehicle) and heading 23 (Other assets).
- MENTIONS:** Includes heading 24 (Amount), heading 25 (Reference to RDPRM), heading 26 (Form of act), heading 27 (Date), heading 28 (Location), heading 29 (Notary information), and heading 31 (Other mentions).
- SIGNATURE:** Includes heading 32 (Name of signatory) and heading 33 (Signature).

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