



Ontario

Ministry of  
Consumer and  
Commercial  
Relations

Property  
Rights  
Division

Legal  
and  
Surveys  
Standards  
Branch

BULLETIN NO. 79031

DATE: August 29, 1979

TO:  
ALL LAND REGISTRARS

PARTNERSHIPS - DEATH OF A  
PARTNER

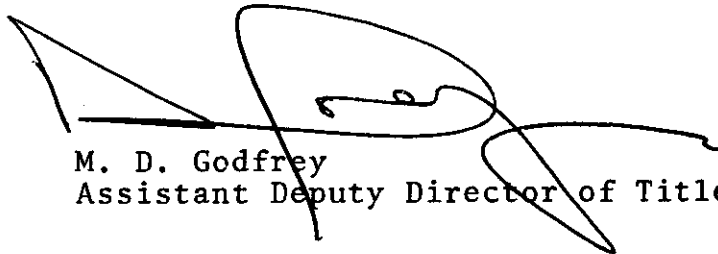
THE LAND TITLES ACT

This Bulletin is intended to clarify the following situation with respect to partnership property.

Death of a partner - Upon the death of a partner, the surviving partner(s) may transfer the property without the personal representative of the deceased partner joining in the transfer provided:

- (i) the material that would support a survivorship application accompanies the transfer; and
- (ii) the affidavit of the transferor states that the partnership has been dissolved by the death of the deceased partner and the transfer is necessary to wind up the affairs of the partnership.

If the partnership agreement provides that the partnership is not dissolved upon the death of a partner, the personal representative of the deceased partner is entitled to be entered as owner. In this case, in addition to the material required on a transmission application, affidavit evidence must be produced to indicate that the partnership has not been dissolved upon the death of the deceased partner.

  
M. D. Godfrey  
Assistant Deputy Director of Titles

MDG/oal

