



Beyond the Sold Sign



Beyond the Sold Sign

A Canadian real estate
planning guide for Seniors

by

JULIE WILSON



Heart & Heart
Publishing

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Table of Contents

About the Author	ix
Acknowledgements	xi
Introduction	xiii
Ch. 1 — I Can't Sell My House!	1
Ch. 2 — Even Though You're in Charge, Let the Professionals Help!	9
Ch. 3 — What Kind of Retirement Lifestyle Do You Want?	17
Ch. 4 — Do You Want The Government To Get All Your Money?	25
Ch. 5 — Housing Options and Planning	
Financially for You're Next Move	37
Ch. 6 — Get Ready; Get Set; Companies Coming!	59
Ch. 7 — It's Show Time! Get Your Home SOLD.	73
Ch. 8 — Cherish the Memories Before,	
During and Beyond the Sold Sign	85
Afterword	89
Appendix I — Frequently Asked Questions and Answers.	91
Appendix II — Personal and Financial Record Keeping Diary	95
Resources	111



About the Author

Julie Wilson became a licensed Real Estate Sales Representative in 1985, at the age of 21. Her compassion and intuitive ability to listen to her clients' needs has helped thousands of families of all ages to find exactly the right home.

Julie has received numerous awards for outstanding sales and leadership abilities throughout her career. She provides workshops, talks and seminars on topics relating to the real estate industry. Through her volunteer roles, leadership training, and many years of helping others buy and sell real estate, Julie found her passion: to educate and consult with mature adults living into, and throughout, their later years.

Julie respects and enjoys the company of older adults and understands the joys and fears of being in transition. She earned the designation Seniors Real Estate Specialist (SRES®) and her stripes as an Accredited Seniors Agent (ASA); for more information about these designations, please see chapter 7.

Julie also believes in the value of community and is passionate about volunteering at every possible opportunity. She sits on the board of her local CARP (Canadian Association for Retired Persons) chapter, advocating and assisting in providing education to its members. Julie has completed the Orientation to Palliative Care course and is also a certified Reflexologist.

Her success has become the foundation for *Beyond the Sold Sign*, *A Canadian real estate planning guide for Seniors*.

The decision for the elderly to move from their family home is not an easy one. Julie realized that families and professionals working with older adults would both benefit from a planning guide that helps aging clients assess their needs and desires, and make their next move based on an educated and informed decision.

These professionals would include lawyers who specialize in estate and tax law, home care professionals, family counsellor, financial advisors and planners, movers and move-management companies, estate professionals, contractors, other real estate professionals, auctioneers, transition specialists, handymen, home inspectors, and retirement living coordinators. All of whom understand the pace and specialized requirements of older adults. With proactive planning, the stress of moving is reduced and seniors and their families are supported in making informed decisions about a new lifestyle tailored to their own personal needs.

Her goal is to make their move, and anyone assisting in that move, as stress reduced as possible. Julie believes a home is more than a physical structure. As a SRES® and an ASA, she focuses on the importance of carefully listening to her clients' needs to identify accessibility challenges and lifestyle wishes. Investing the time to plan will ensure their lifestyle choices bring lasting comfort before, during and *Beyond the Sold Sign*.



Acknowledgements

This book is dedicated to the memory of a very influential person in my life — my mother, who encouraged me to love, always help others, and never give up on a dream.

With my 81-year-old mother in mind, I began specializing and training in the specific needs of older adults. I learned that the emotional and physical challenges involved in selling a home and transitioning at this stage of life can seem insurmountable compared to overcoming the challenges at a much younger age.

Mom was still living in her own home and adamant about never moving again. Although I heard her muttering numerous times that it might be nice to move back to her homeland, thoughts of moving to a retirement home had filled her with typical anxieties about the loss of independence and a fear of change. These had overwhelmed her to the point that she kept putting off the decision.

Many times she had said she should start de-cluttering and sorting through all the belongings and treasures she'd accumulated over her lifetime. It was a huge task, and she kept putting it off.

Mother passed away unexpectedly. Needless to say, my sisters and I sifted through all she'd left behind, searching for important legal documents dealing with funeral plans, disbursing and dispensing of her belongings, preparing the

home to sell, while dealing with a deep emotional loss. It was then that I realized how important it is for me to use all of my real estate knowledge and expertise to help other seniors and their support team of family and friends to prepare and plan ahead for this inevitable event.

By creating this planning guide, as well as providing educational talks, seminars and workshops, I feel this planning guide will help others transition with joy and confidence.

I thank all my friends, family, peers, and those “top-notch” experts who I have been fortunate to work with over the years.

Special thanks to my daughter, Cassandra, and to my partner, Mark, who deserves extended gratitude for his patience, his encouragement and his spiritual values that inspired me not to give up.

Acknowledgement also goes to Bruce Nemovitz, a SRES in Wisconsin and recipient of the 2010 Realtor of the Year award (Greater Milwaukee Association of Realtors®), who generously shared his experience and knowledge.

I wish to thank Chris Newell, lead instructor, Real Estate Academy Inc., who is an ASA trainer, Realtor, coach, mentor, business owner and a compassionate volunteer in his community. Chris’ real estate experience and expertise in the seniors’ real estate market proved to be a valuable resource for this book.



Introduction

This planning guide includes identifying the best resources and means of action to take when selling the family home, as well as who can provide help along the way. I strongly advocate that you surround yourself with a trustworthy group of experts who regularly deal with older adults and are sensitive to their needs.

All professionals who specialize in working with seniors can offer much more than assistance with buying and selling a home. They can offer information and advice on topics ranging from estate planning to retirement living options. These trained professionals are familiar with the concerns and needs of this niche market.

The sale or purchase of a home, of course, can be fearful at any age. But in the later years, new difficulties can emerge, including anxieties about parting with decades of memories which evoke questions about how a move will fit into larger estate planning and uncertainties about whether the next house could be, or should be, the last house. This is why it is important you have an experienced, patient, caring team of professionals — to navigate what could sometimes be a lengthy transition.

The idea of this planning guide is to assist not only the immediate parties in transition or planning for when that day comes, but also to provide a useful tool to all professionals, family members and caregivers.

By offering referral resources, advice, and guidance throughout this guide on the planning, buying and selling process, financial planning taxes and legal matters, experts can offer their clients the comprehensive attention they need and deserve.

In the following chapters, you will explore the various aspects, choices and options of what to think of and answers to the frequently asked questions such as *Where do I begin?*, *What comes next?* and *How do I leave behind a home full of memories?* I have added tips on other important matters to consider, such as financial planning, estate taxes, real estate taxes and lifestyle choices for living independently or with others. This planning guide will allow you to plan ahead, prepare and know what living beyond the sold sign looks like for you.

Bonus Estate Record Keeping Diary included. Keep record of your personal, insurance, legal and financial information in one handy diary. Be sure to let your lawyer, spouse and executor know where your booklet is stored for easy location. Be sure to update when changes arise.

*Life belongs to the living, and he who
lives must be prepared for changes.*

—Johann Wolfgang von Goethe



Chapter 1

I Can't Sell My House!

"I can't sell my house." I have heard this from many seniors. Let's take a good, honest look at what may be hiding behind this statement. I have always said it's not about what people do, but why they do it. It's the *"why"* behind the action that must be examined.

The belief that your home can't or won't sell is an excuse that may keep you where you shouldn't be. In many cases, it can prevent you from moving into a much better situation than what you currently have. The majority who truly believe that a successful sale cannot be achieved have never actually put their home on the market!

No matter what the market conditions, homes will sell. They sold in the 1980s even when interest rates were up to 21%. Decades later, when the average Canadian house price dropped due to an economic downturn, homeowners panicked; but they had forgotten the overall continuous increase of home prices from the 1980s. Prices have fluctuated up and down. The right way to look at your home investment is to remember what you paid when you purchased your home and what it is worth today. Those homeowners who have lived in their

If your home is no longer working for you and not matching your health situation, then have the courage and conviction to make your move now. Enjoy the rest of your years in safety and comfort, in an environment that better suits your needs.

There is an old joke I'm reminded of; I think Jack Benny is famous for this one:

*A robber approaches an older adult, and says, "Your money or your life!"
The senior retorts, "Take my life, I'm saving for old age!"*

Enjoy your life to its fullest. Only you can change your attitude and be proactive for the person that matters most...you!

The only way I am leaving is in a pine box

Jack and Irene have always lived in the same home in which they raised their children. Their modest home worked well enough for raising their family and even for the first few 'empty nest' years.

Ten years go by; they are still living in their two-storey home where the bedrooms and the only bathroom are on the second floor, up a long flight of stairs. Their small closets and a full basement are all stuffed to the rafters with things they've forgotten about long ago. After four decades in the house, the place was packed with both memories and a lot of "stuff" to go with those memories.

Then Irene passed away. Jack's son tried to be patient, knowing his dad needed time to grieve his wife's passing, but he became more concerned for his father's

isolation and failing health. He consulted with a designated senior's real estate professional about what to do. The conversation helped him prepare for the process of selling the family home.

He received information about market prices, options available to Jack, and how to prepare the home for sale. But more importantly, it helped him become sensitive to the process his dad would go through in transitioning from the family home to a more suitable place to live.

Armed with all this information, Jack's son arrived to have have a chat. "I understand why you want to stay in this house, Dad. It's full of memories and represents your past, but it isn't safe the way it is. Because the bathroom is upstairs and so is your bedroom. I know you sleep on the couch a lot, so that you don't have to climb all those stairs, but you still have to go to the bathroom."

"I've called a real estate company and we have an appointment to talk about the value of your home and help you decide if it's worthwhile to add a bedroom and bath onto your main floor. The small addition could be spread out onto the back lawn."

Together with the real estate sales representative, they discussed all the options. Jack saw that he could make the decision to stay in his home, but it would cost more money, and time getting city approval, creating building floor plans and doing all the necessary steps for the construction— more time than he wanted to spend. Finally, he said to his son, "I've decided. I don't want to remodel. Let's look at those assisted-living brochures."

- 2) Set up a trust to ensure your beneficiaries are well looked after.
- 3) Give gifts of cash or possessions while you are still alive.
- 4) Consider charitable donations to create valuable tax benefits.
- 5) Buy life insurance that is paid out to beneficiary tax free.
- 6) Restructure investments with insurance companies to avoid probate on death.

Remember to consult with professionals to get expert tax-planning advice.

Capital Gains

When is capital gain applicable? Capital gain in real estate does not apply to a principal residence (the primary location where a person lives). Here is a list of properties that would be subject to tax: secondary dwellings not deemed as the principal residence, such as multi-unit dwellings, farms, stores with an accessory apartment, seasonal homes, and out-of-country properties, tax treaties, moving out of Canada permanently, and renting out your home while living temporarily outside of Canada.

A capital gain occurs when you sell a property and you make a profit. Capital cost allowance, CCA, is the amount on which you first claim capital cost allowance. The capital cost of a property is usually the total of:

- 1) The purchase price (not including the cost of land, which is usually not depreciable).
- 2) The part of your legal, accounting, engineering, installation, and other fees that relates to the buying or construction of the property (not including the part that applies to land).

- 3) The cost of any additions or improvements you made to the property after you acquired it, if you did not claim these costs as a current expense (such as modifications to accommodate persons with disabilities).
- 4) For a building, costs (such as interest, legal and accounting fees, and property taxes) related to the period you are constructing, renovating, or altering if these expenses have not been deducted as current expenses.

The basic rule is that 50% of capital gain is taxable income and 50 % of capital loss may be used to offset capital gains. When calculating the amount of tax payable, you must know the property's value on valuation day (valuation day or referred to as V-day). This date is December 31, 1971.

Here is an example for cottage owners and capital gain. Let's say you purchased your cottage in 1980 for \$150,000. You have put lots of improvements in over the years spending around \$100,000. This is the adjusted cost base: \$250,000. Your Agent has determined that your property is worth \$500,000.

If you sold your cottage today, or the owner passed away, the resulting gain would be $\$500,000 - \$250,000 = \$250,000$. Next is called the inclusion rate at 50%, meaning you pay taxes on one half of the gain. $\$250,000 \times 50\% = \$125,000$ (50% of the gain) and this amount must be reported for tax purposes. This amount is added to the income-tax return as income for that tax year.

The final tax payable will change depending on your income-tax rate and whether you have other write-offs or deductions. For example, if your income-tax bracket is 25%, the tax payable would be 25% of \$125,000, equalling at least \$31,250.

One of your best resources for learning about the different options is a real estate professional specializing in the needs and wants of older adults (see chapter 7) who is familiar with the geographical area in which you wish to live. Another resource is community care associations and retirement living websites (see Resources).

Having many options is great, but it can also be stressful. Gather as much information as possible. Prepare a list of needs and desires that you will look for in your new home. If your list is really lengthy, narrow it down to your top five most important needs and top five desires. Use this as your guide for your home-search process.

Think about your needs and desires:

- ✓ Affordability
- ✓ Cost of maintenance
- ✓ Safety
- ✓ Location of family/friends
- ✓ Companionship and contact with others
- ✓ Health issues
- ✓ Accessibility to:
 - > Leisure and social activities
 - > Shopping, banking, churches
 - > Bus routes, train stations
 - > Medical facilities
 - > Barbers, hair stylists and beauty salons
 - > Alternative healing modalities like massage and reflexology
 - > A pharmacy

Now you can seek the right housing to match your health and emotional needs.

Retirement homes and adult lifestyle communities

These residences vary widely in terms of the services provided, their amenities, the type of accommodation and the cost of being a resident.

Retirement homes.

Retirement homes provide a range of care and supportive services. Some homes have different levels of care and services thus allowing residents to remain in the retirement home should their health decline. Retirement homes provide accommodation and usually provide nursing staff or health care aides for medication administration and personal care. Generally, they also provide 24-hour supervision, meals (usually in a common dining room), recreational activities, and laundry and housekeeping services. Monthly costs vary depending upon the services purchased. Some homes allow extra personal care services to be purchased from an external agency.

Vibrant Living.

Active adult retirement communities also go by several other names such as resort communities, 55+ or adult lifestyle communities. These are perfect for older adults moving through the first phase of retirement, when you still feel very independent and wish to retain control over most aspects of your life.

Active adult communities are well-suited to those who want to leave their retirement options open. Typically, they are associated with amenities appealing to the newly retired.

With time, that house became a home. Just like your new accommodations will.

Retirement Home Shopping, Make sure you compare

Understanding which services are available and not available, what are included or not included in the basic monthly fees, is essential to making the most informed decision.

Use the following chart to help compare various residences

As you visit the various homes, record the name of each and go down the list of amenities and mark in the appropriate box for the service available. *'I'* for included and *'X'* for not included and *'N/A'* for services and amenities not available.

Residence A _____ Residence B _____
 Residence C _____ Residence D _____

Personal Services	A	B	C	D
24 hour security				
24 hour call bell emergency intercom				
24 hour nursing supervision (medication supervision available)				
Three meals daily in full service dining room				
Special diets accommodated				
Full service bar				
Outdoor patio, bbq, private court yard/ landscaped yard				
Pool				
Housekeeping and personal laundry service				
Recreational programs, entertainment, and social activities				

Personal Services	A	B	C	D
Private lounge area, movie theatre				
Areas to worship, church services				
Continental breakfast delivered to or served in your room				
Guaranteed rate for calendar year				
Telephone				
Cable				
Additional kitchen areas				
Respite room				
Guest room				
Dining room for personal family events				
Optional assist living floor				
Scheduled transportation				
Management on site				
Exercise facilities/equipment				
Room rent				

The following questions will help you to evaluate the homes and residents you visit.

The facility and staff:

- 1) Is there a welcoming atmosphere when you enter the building?
- 2) Is it convenient for friends and family to visit? Are there any restrictions about visiting?
- 3) Are there areas available for having private visits?
- 4) Do residents all appear well groomed and appropriately dressed?
- 5) How do I see staff behaving toward residents and each other? Do they appear to know the residents' names?



Chapter 6

Get Ready; Get Set; Companies Coming!

Home evaluation time!

If you own a home, you need to know what its current value is. This will help your financial professional to sum up your assets. There are two professionals to help you with this.

Consult a **real estate professional** to give you a CMA, or comparable market analysis. Along with a written evaluation based on market trends, area sales and economic influences, a real estate professional will also look at the overall condition of your home and note any defects that need to be addressed (read below for more information about getting your home ready to sell).

It's preferable to choose one who not only has many years of real estate experience but is also trained in the specific needs and concerns of seniors. Keep in mind that pressure and manipulation are not what you need from a real estate professional. You need one who consults with you, negotiates, manages the venture, and offers a comprehensive marketing plan, all in the utmost professional manner.



A real estate professional with experience in the needs of older adults will also have a strong, trustworthy network of other professionals you might need. He or she can recommend skilled trades people to provide estimates and assist if needed for any necessary upgrades and/or repairs.

Another method of determining market value is through an appraisal. Make sure you hire a **real estate appraiser** who holds accreditation from the Appraisal Institute of Canada. The designation AACI, P.App is granted to individuals who are qualified to offer appraisal services for all types of real estate.

The CRA (Canadian Residential Appraiser) designation, also awarded by the Appraisal Institute of Canada, qualifies this person to offer appraisal services for many residential properties. Both designations mean that the member has met the highest professional industry standards in Canada. There is a fee to hire an accredited appraiser.

To sum it up, this core group of professionals will help you determine your financial resources for making your next move. The realtor or appraiser will assess your home's value. The financial advisor or planner will assess and prepare a strategy concerning your present and future financial needs. The lawyer or elder law attorney will make sure all your legal documents are in order and that you are protected for the future, no matter where you choose to live.

The following form will help you determine how much money you will have after you deduct the estimated selling costs from the selling price of your home.

Estimated Proceeds of Sale	
Property Address:	
A. BASED ON A SELLING PRICE OF:	\$
B. ENCUMBRANCE:	
1. First mortgage:	\$
2. Second mortgage:	\$
3. Home equity loan:	\$
4. Mortgage penalties:	\$
TOTAL (B1 THRU B4)	= \$
SUBTOTAL (A-B)	\$
C. ESTIMATED SELLING COSTS:	
1. BROKERAGE FEE plus HST (varies depending on services provided)	\$
2. LEGAL FEES plus HST (average 1% of estimated sale price)	\$
3. HOME STAGING plus HST	\$
4. TRANSITION SPECIALIST/MOVE MANAGER	\$
5. NONRESIDENT WITH HOLDING TAX (If a nonresident of Canada)	\$
6. CAPITAL GAIN (IF NOT PRINCIPAL RESIDENCE)	\$
7. MOVERS AND PACKERS	\$
8. OTHER (I.E., PROPERTY TAX UNPAID AND/OR UTILITIES)	\$
TOTAL: (C1 THRU C8)	- \$
D. ESTIMATED PROCEEDS OF SALE:	
(SELLING PRICE LESS TOTAL COSTS)	= \$

PLEASE NOTE: This estimated proceeds of sale calculated above will vary according to any difference in unpaid loan balances and any expenses for required corrective and/or preventive work. The above fees and charges are estimates only and are suggested as a guide.

Seller Questionnaire

What to ask an agent during an interview to help you choose a REALTOR®.

- ✓ Are you a full-time professional?
- ✓ How long have you been in the business?
- ✓ Do you work more with sellers or with buyers?
- ✓ Do you have any professional designations?
- ✓ What kind of training programs have you completed?
- ✓ What is your marketing plan?
- ✓ Would we be just another listing or do you provide personal service?
- ✓ What is your follow-up policy?
- ✓ Do you have a team? If so, will we actually be dealing with you?
- ✓ Do you have other trustworthy service professionals in your network?
- ✓ What is your listing and sales performance this year?
- ✓ Do you work in the local area?
- ✓ What differentiates you from the competition?

How you can help with the sale?

Pre-Market Checklist

It is helpful to have the following items available to assist in marketing your home. Don't panic if you don't have these; they are simply very helpful if you can produce them. Use this handy checklist to tick off the ones you have.

DOCUMENTS	INFORMATION
<input type="checkbox"/> Property Tax Bill:	
<input type="checkbox"/> Property Survey.	<input type="checkbox"/> Heating Bill (yearly amount):
<input type="checkbox"/> Mortgage Documents.	<input type="checkbox"/> Hydro Bill (yearly amount):
<input type="checkbox"/> House Floor plans.	<input type="checkbox"/> Water Bill (yearly amount):
<input type="checkbox"/> Bylaws or Deed.	<input type="checkbox"/> Sewer Bill (yearly amount):
<input type="checkbox"/> Building permits.	<input type="checkbox"/> Value of Major improvements:
MARKETING	
<input type="checkbox"/> Property (yard) pictures (especially of different opposite season).	
<input type="checkbox"/> What you like most about your home: _____	

Add in anything else you think would be helpful to encourage a potential buyer to choose your property over the competition.

Once you have signed a listing agreement form provided by the local real estate board in your province or region, your home is ready to be marketed to potential buyers.

Agency relationships...who is working for who?

There are four different relationships a Realtor can have with clients (a Realtor is the brokerage, not a sales representative). The following is a short explanation of agency relationships.

1) Buyer representation.

The buyer's agent has duties to only the buyer and none to the seller. A buyer contract would be signed between the buyer and the buyer's agent, explaining the services provided, duties, and establishing any fee arrangements. These duties include loyalty, obedience, confidentiality, reasonable care and skill, full disclosure, and accounting. A seller must be aware of this relationship so as not to disclose any information to the buyer or the buyer's agent that could impede a sale.

2) Seller representation.

The seller's agent has duties to only the seller and must do what is best for the seller. A written contract is used, called a listing agreement. Although no confidential information about the seller can be discussed, the seller's agent can disclose pertinent information about the property. The duties of a seller's agent include loyalty, obedience, confidentiality, reasonable care and skill, full disclosure and accounting.

3) Multiple representation.

An agent in a dual agency can, with consent from both parties, represent both the buyer and the seller equally. These duties include loyalty, obedience,

confidentiality, reasonable care and skill, full disclosure and accounting to both parties. The Realtor in this situation may disclose any information except the following: what price the buyer is willing to pay, what price the seller is willing to accept, and the motivation of either party.

4) Customer service.

Under this fourth arrangement, the brokerage can provide many valuable services in a fair and honest manner without representing either party exclusively.

REALTORS® believe it is important that people they work with understand their agency relationship. That is why requirements and obligations for representation and customer service are included in Real Estate Council of Ontario's Code of Ethics.

Here are a few simple tips to assist in the showing and sale of your home:

- 1) If you know your home is going to be viewed by a buyer, go out for a walk or visit a friend or neighbour. Let the real estate professional show your home and have exclusivity with a potential buyer. He or she knows your home, the buyer's needs and desires, and can better emphasize the virtues of your home when you are not present. If there are any questions, he or she will call you.
- 2) If it is hard for you to leave, then go out in the garden, sit on your balcony or stay quietly in your living room. Buyers feel awkward when viewing other people's homes, especially if the owner is there. So stay in the background. Also, don't have too many other people present when your

to as closing date). If you wish to move before the closing date, you may, although in the case of buying another home, you would need a bridge loan. If you are moving to an apartment or retirement home, you will need to pay a deposit and/or first and last month's rent up front.

8) **Q.** *When should we consult with our children about selling?*

A. Wait until you have time to think it through. Gather as much information as you can. Talk with professionals. When you have made your decision, then have that family chat. This way you will not feel any pressure to do or not do what is best for you.



Appendix II

Personal and Financial Record Keeping Diary

ALL ABOUT ME AND MY FAMILY	
YOUR INFORMATION	
Name (Legal):	
Address:	
Phone:	Fax:
Email:	Cell:
Date of birth:	Place of Birth:
S.I.N.:	Health Card Number:
Driver's Licence number:	
SPOUSE/PARTNER	
Name (Legal):	
Address:	
Phone:	Fax:
Email:	Cell:
Date of birth:	Place of Birth:
S.I.N.:	Health Card Number:
Driver's Licence number:	