

**THIS CONTINUING POWER OF ATTORNEY FOR PROPERTY** is given by \_\_\_\_\_, of the City of Toronto, in the Province of Ontario.

1. [I REVOKE any previous [continuing] power of attorney for property made by me.]
2. [I DO NOT REVOKE any previous [continuing] power of attorney for property made by me, it being my intention that there shall be multiple continuing powers of attorney.]
3. I APPOINT \_\_\_\_\_, to be my attorney for property in accordance with the *Powers of Attorney Act* to do on my behalf anything in respect of property that I can lawfully do by an attorney if capable, except make a will.
4. If my said \_\_\_\_\_ cannot or will not be my attorney because of refusal, resignation, death, mental incapacity or removal by the court, I SUBSTITUTE and APPOINT \_\_\_\_\_ [and] \_\_\_\_\_, [jointly] [and severally], to be my attorney[s] for property in the same manner and subject to the same authority as \_\_\_\_\_, whom [he/she is] [they are] replacing. [If one of my attorneys dies or becomes incapable of acting as my attorney, I appoint the attorney remaining capable to act in such capacity alone to be my attorney for property in the same manner and subject to the same authority as the attorneys whom he is replacing.] The expression "attorney" used throughout this power of attorney for property shall mean the attorney or attorneys hereunder for the time being, whether original or substituted.
5. I DECLARE that this power of attorney for property may [only] [also] be exercised during such periods when (i) I am not able to understand information that is relevant to making a decision in the management of my property, or (ii) I am not able to appreciate the reasonably foreseeable consequences of a decision or lack of decision with respect to the management of my property, or (iii) I have been found to be legally incapable to manage my property. It is my intention that this document be a continuing power of attorney for property pursuant to section 7 of the *Substitute Decisions Act*, 1992.
6. If my spouse disposes of or encumbers any interest in a matrimonial home in which I have a right to possession under Part II of the *Family Law Act*, I AUTHORIZE the attorney named in this power of attorney for property to consent for me and in my name to the transaction as provided for in clause 21(1)(a) of the *Family Law Act*.
7. This power of attorney for property is subject to no conditions or restrictions other than [those expressly set out herein].
8. In making this power of attorney for property, I CONFIRM that I am at least eighteen years of age and I am capable of giving this continuing power of attorney for property because I am aware:
  - (a) \_\_\_\_\_ of the nature, extent and approximate value of my property;
  - (b) \_\_\_\_\_ of the obligations I owe to my dependants;

- (c) that my attorney will be able to do on my behalf anything in respect of property that I could do if capable, except make a will [, subject to the conditions and restrictions expressly set out in this power of attorney];
- (d) that my attorney must account for my attorney's dealings with my property;
- (e) that I may, while capable, revoke this power of attorney;
- (f) that the value of my property administered by my attorney may decline unless my attorney manages it prudently; and
- (g) that there is a possibility that my attorney could misuse the authority given to my attorney by this power of attorney.

9. [My attorney shall not be entitled to take compensation from my property for services performed hereunder, although all disbursements incurred by my attorney in acting hereunder shall be reimbursed from my property.]

I have signed this power of attorney in the presence of both of the witnesses whose names appear below on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_ .

\_\_\_\_\_  
Name

We are the witnesses to this power of attorney. We have signed this power of attorney in the presence of the person whose name appears above, and in the presence of each other, on the date shown above. Neither one of us is the attorney, a spouse or partner of the attorney, a spouse or partner of the grantor, a child of the grantor or a person whom the grantor has demonstrated a settled intention to treat as a child of the grantor, a person whose property is under guardianship or who has a guardian of the person, or less than eighteen years old. We acknowledge that to be capable of giving a continuing power of attorney for property the person must meet the requirements of paragraph 7 of this power of attorney. We have reviewed each of these requirements with the person whose name appears above and we have no reason to believe that such person is incapable of giving this continuing power of attorney for property.

\_\_\_\_\_  
Witness Signature

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Witness Signature

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

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