FAMILY PROPERTY | WORKSHEET 3 OF 3

Property Settlement Liquidity Stress Test

Tests whether an equal-looking settlement can actually be financed, taxed and implemented.

BEST USED WHEN	Use this before accepting a buyout, asset swap or deferred payment arrangement.

ALBERTA LEGAL CHECKPOINT

A useful Alberta property analysis begins before anyone divides a total. You need to know what exists, who owns it, what it was worth at key dates, the debt attached to it and whether an exemption or agreement may change the result. Financial disclosure is mandatory when a family-property application is filed in court.

Primary source: Alberta Family Justice Strategy: mandatory requirements

PREPARED FOR ______________________ DATE ______________________

1 Complete what you know	2 Mark gaps and assumptions	3 Attach supporting records

THE PRACTICE LENS

Two assets with the same statement value may not provide the same usable value. We test tax, sale costs, financing, payment timing and the monthly budget after settlement because a paper-equal division can still leave one person unable to keep the bargain.

A CONCRETE EXAMPLE

Keeping $450,000 of home equity is not economically identical to receiving a $450,000 RRSP. One may require a new mortgage and immediate carrying costs; the other is generally pre-tax retirement money. The stress test compares what each option can actually fund and when.

Compare usable value

Use one row per issue and identify the source for every important number or date.

Item	Headline value	Debt/tax/cost	Usable value
Home equity			
Investment account			
Registered retirement			
Business interest			
Pension			
Other property			

Implementation test

Tick completed items. Circle anything that needs a document, follow-up or legal advice.

- [ ] Confirm financing approval rather than assuming a mortgage or loan is available.
- [ ] Set deadlines for appraisal, refinance, transfer and payout.
- [ ] Address who bears market movement between agreement and transfer.
- [ ] Identify security for deferred payments and consequences of default.
- [ ] Confirm releases from joint debt, guarantees and tax obligations.

Life-after-settlement questions

Use short factual notes. If an answer is uncertain, write what would confirm it.

1. Can each person meet monthly expenses after the proposed transfers?
2. Does one person receive liquid cash while the other receives illiquid or risky property?
3. What tax is immediate, deferred or uncertain?
4. What happens if financing, sale or a business payment does not occur on time?
5. Which professional must confirm the plan before the agreement becomes binding?

BRING THIS TO YOUR CONSULTATION

You do not need every blank filled. Mark the three items that matter most, attach the records you relied on and use this handoff to identify the next decision.

STATUS	[ ] Ready to discuss [ ] Missing records [ ] Deadline or urgent issue
NEXT REAL DEADLINE	
RECORD OR ANSWER STILL NEEDED	
DECISION I NEED HELP WITH	

calgaryfamilylaw.ca | 403-460-1230 | Free 15-minute phone or video consultation