

# Wills, Estates & Matrimonial Real Property (MRP)

**A Plain-Language Guide for First Nations**

Understanding wills, estates, and housing rights

Updated with MRP Act & Indigenous Services Canada



**Fort William  
First Nation**

# What Is a Will?

A **will** is a legal document that explains:

- What happens to your money and belongings
- What happens to your home or land interests
- Who will manage your estate after death

Without a will, **federal laws apply**, not your personal wishes.



# What Happens Without a Will?

Dying without a will is called **intestate**.

This can lead to:

- ISC appointing an administrator
- Delays and confusion
- Family conflict
- Decisions made under federal law



# Why Having a Will Matters

A will helps you:

- Protect your spouse or partner
- Protect your children
- Decide who gets your belongings
- Choose who manages your estate
- Reduce stress for your family

Wills are important at **any age**, especially if you have family.



# What Is Matrimonial Real Property (MRP)?

The **MRP Act** is a federal law that:

- Applies to homes and lands **on reserve**
- Protects spouses and common-law partners
- Applies during separation, divorce, or death

Before MRP, there were no clear rules for family homes on reserve.



# Who MRP Applies To

MRP applies to:

- Married spouses
- Common-law partners
- Families living on reserve
- The family home — even if only one name is on it

MRP applies **with or without a will.**



# MRP and Death of a Spouse

When a spouse or partner passes away:

- The surviving spouse may have the **right to stay in the family home**
- These rights apply even if the home is not in their name
- A will **cannot remove MRP rights**

Your will must respect MRP law.



# Why Wills Matter Under MRP

A will can:

- Clarify what happens to the family home
- Reduce disputes among family members
- Help avoid court involvement
- Protect children and surviving partners

Without a will, delays and conflict are more likely.



# Role of Indigenous Services Canada (ISC)

ISC may be involved when:

- A person lived on reserve
- There is no will
- There is a dispute
- Reserve land or housing is involved

ISC can:

- Appoint administrators
- Review or approve wills
- Help enforce MRP rights



# Final Messages

- A will is an act of care for your family
- MRP protects spouses and partners
- Wills and MRP must work together
- Review your will after life changes
- Ask for help if you are unsure

*Planning today protects your family tomorrow.*



# Local Contacts & Support

If you have questions or need help, contact:

## **Band Office / Lands & Governance Department**

 Name: Esther Pervais / Ian Bannon

 Phone: 807623-9543

 Email: [LandsManager@fwfn.com](mailto:LandsManager@fwfn.com)

## **Indigenous Services Canada (ISC)**

 Phone: 807-623-3534 atten: Estates

 Email: [estates-successions@sac-isc.gc.ca](mailto:estates-successions@sac-isc.gc.ca)

## **Legal Assistance**

 Community Legal Clinic: Nokiiwin Tribal Council – Jennifer McKenzie

 Phone: 807-474-4230

*You do not have to do this alone — support is available.*

