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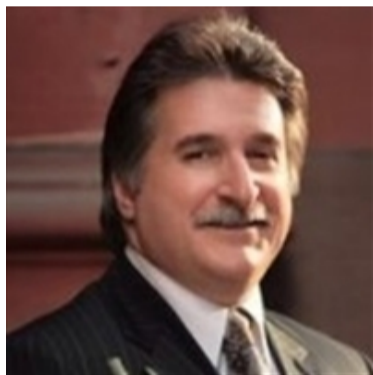
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Estates & Wills & Trusts

Power of attorney used to steal life savings



By [Charles Ticker](#)

The dangers of power of attorney abuse can be seen in a recent story from Kitchener, Ont. A man has been charged with fraud. According to the story the man used a power of attorney to steal his mother's entire life savings. The funds transferred allegedly total over \$62,000.

Since this is an ongoing investigation, there are few other details. Some of the charges the man is facing include: fraud over \$5,000, theft by a person holding power of attorney, and criminal breach of trust. None of the allegations have been proven in court. The full story is found [here](#).

Power of attorney abuse may be part of a pattern of elder abuse

Power of attorney abuse is a very real problem for many senior citizens. As a person ages he or she may lose the capacity to make decisions regarding personal property and healthcare. A power of attorney allows a person to appoint a substitute decision maker to help with important decisions. As a result, the grantor may be in a particularly vulnerable position.

There are two types in Ontario: power of attorney for property, and power of attorney for personal care. The attorney has various duties, including an ongoing duty to be accountable about the financial decisions made on behalf of the grantor. Furthermore, the attorney has legal duties to other parties that may have an interest in the estate of the grantor such as other siblings. Consequently, potential beneficiaries are likely to sue if misuse takes place.

Unfortunately, the story outlined above is not uncommon. There are many instances when children or caregivers who have been appointed attorneys misuse the documentation for their own benefit. It seems like some of the nastiest estate disputes arise when potential beneficiaries find out that the grantor's estate has been depleted.

If you are thinking of appointing an attorney, it is important to select someone who is trustworthy. Furthermore, the attorney needs to carry out his or her responsibilities in a conscientious and prudent manner. You should address any hints of misuse immediately. Finally, the grantor must seek legal advice to understand his or her rights.

More on this story [here](#).

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