



Can I get ODSP if I get an inheritance?

An inheritance is money or other property that you get from someone when they die.

An inheritance can affect whether you can get money from the Ontario Disability Support Program (ODSP) or how much you can get.

ODSP rules about inheritances are complicated. It's best to talk to a lawyer before making any decisions.

Who can get ODSP

To decide if you qualify, ODSP counts all your income and assets. You will **not** get ODSP if:

- Your **income** is too high. Income is money you get, for example, a pay cheque.
- Your **assets** are worth too much. Assets are valuable items that you keep, for example, money in a savings account or property that you own.

If getting an inheritance makes your income or assets worth too much, you may not be able to get money from ODSP.

For example, a single person can have assets worth \$40,000 or less.

How much income you can earn depends on the size of your family and what you pay for your housing.

What ODSP does not count

There are times when ODSP does not count an inheritance as income or an asset.

But even if your inheritance does not affect your ODSP, you must report it to your ODSP worker.

Rules about gifts

An inheritance is a gift. Usually, ODSP does not count gifts as income.

But if you get **more than \$10,000** worth of gifts in any **12-month period**, ODSP counts the amount you get above \$10,000 as income.

For example, you got a \$10,000 inheritance on June 30, 2025. ODSP counts any other gift you get until July 1, 2026, as income.

If the total of all of your gifts, including your inheritance, is **less than \$10,000**, ODSP does not count your inheritance as **income**. You can spend it any way you want.

Keeping your inheritance

If you keep a gift instead of spending it, ODSP counts the gift as an **asset**. So if you keep any of your inheritance instead of spending it, ODSP counts what you keep as an asset.

ODSP counts it as an asset the month after you get it.

For example, you get an inheritance of **\$8,000 in July**. You spend \$3,000 right away and keep \$5,000 in a savings account.

ODSP does not count any of your inheritance as an asset in July but counts **\$5,000** as an asset in **August**.

Rules about spending your inheritance

ODSP will not count any part of your inheritance that you use to:

- buy items or services for your disability
- pay first and last month's rent if you need to get a place to live
- help buy a home for you to live in
- buy a car

Using it for items and services

Items or services for your disability can be anything that helps you to live with your disability. For example:

- assisted devices like hearing aids and wheelchair lifts
- support services like nursing and cleaning services
- health care and safety items like prescriptions and artificial limbs
- renovations like ramps and safety rails
- education and training like a support person who reads for you and sign language training

ODSP must approve the item or service. So talk to your ODSP worker first.

Saving for an item or service

You may also be able to save your inheritance for an item or service in the future.

ODSP can let you have more assets than usual if you're planning on using the money for an item or service related to your disability.

Talk to your ODSP worker if you want to do this.

Make sure you use the money for the item or service. If you use it for something else, ODSP may make you pay back some of the benefits you got while you were saving it.

Using it for rent, a car, or a home

If you plan to use the inheritance for your **rent** or to **buy a car**, do it within 6 months of getting the inheritance.

ODSP will not count the value of your first car. But they do count part of the value of any other cars you buy.

If you plan to use the inheritance to **buy a home**, do it within 12 months of getting the inheritance.

If you need more time to use the inheritance for rent, a car, or a home, talk to your ODSP worker.

Talk to your ODSP worker or a lawyer before you spend your inheritance. Keep receipts to prove how you spent it.

Rules about saving your inheritance

ODSP will not count your inheritance as an asset if you put it in:

- a Registered Education Savings Plan (RESP)
- a Registered Disability Savings Plan (RDSP)

Rules about trusts

When you have a trust, someone called a “trustee” manages your inheritance for you.

A trustee can also be an organization like a bank or a community organization.

ODSP does not count an inheritance of **\$100,000 or less** as an asset if the money is in a trust. The trust must be set up:

- following ODSP rules, and
- within 6 months of when you get the inheritance.

ODSP does not count an inheritance of **more than \$100,000** as an asset if the money is put in a “discretionary trust” or “Henson trust”. This means that the trustee gets to decide when to pay you and how much.

The person who gives you the inheritance must set up this kind of trust in their will.

ODSP counts a payment from a trust as **a gift**. So the rules about gifts apply to payments from trusts.

Get legal help

It's important to get legal advice. Start by contacting your local community legal clinic.

Find the clinic nearest you at legalaid.on.ca/legal-clinics.

Or call **1-800-668-8258**. For TTY, call **711**.

Visit stepstojustice.ca for more about income assistance and legal help. This is general information for people in Ontario, Canada. It's not legal advice.

Cette publication est également disponible en français.

Vous pourriez avoir droit à des services en français du gouvernement et des fournisseurs désignés. Visitez justicepasapas.ca/droits-linguistiques-francophones.