

# **TEN YEAR OPERATIONS REPORT: 2005 to 2015**

March 23, 2015

Land Title and Survey Authority of British Columbia

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## EXECUTIVE SUMMARY

### Report Purpose

The Land Title and Survey Authority of British Columbia (LTSA), established in 2005 by the [Land Title and Survey Authority Act](#), is mandated as a publicly accountable, statutory corporation with authority to operate BC's land title and survey systems in the public interest. As a regulated authority, the LTSA's operational and financial management are independent of government; however, the delivery of its mandate necessitates a very close working relationship with the Province.

This report provides a consolidated summary of LTSA activities in the period 2005 to 2015. It is prepared in accordance with the 2005 [Operating Agreement](#) between the LTSA and the Province. The Operating Agreement commits the parties to review the performance of the parties every five years and, additionally, to meet after 10 years of operations to review specified LTSA performance obligations and the sufficiency of LTSA revenues. This report supports both of these purposes.

### Principal Findings

1. **The Report reflects LTSA's unique role as operator, regulator and steward of BC's land title and survey systems, and its contributions to the Province's strategic direction of the regulatory framework for these systems.**
2. During its ten years of operation, the LTSA has met all transaction processing targets and public accountability requirements established in the Operating Agreement.
3. The LTSA has successfully executed a significant transformation of how land title and survey transactions are processed. This transformation proceeded with the full support of customers, the Province, and professional practitioners involved in maintaining the land title and survey systems and their governing bodies.
4. **The transformation in delivery of BC's land title and survey systems involved legislative change and fundamental shifts in operational requirements and approaches. These reflect the highly collaborative relationship that has been established and maintained between the LTSA and the Province. This same approach is applied to all change management matters as they arise, and also supports the following ongoing business intersections:**
  - Regular financial and business intersections in support of transmission of provincial revenue, support of the real property taxation function, and maintenance of Crown land administration.
  - Support to multiple public policy programs including First Nations treaty and other registry initiatives, and consistent management of the Province and LTSA's land title Assurance Fund programs.
  - Regular input from operational and strategic perspectives to the Province's maintenance of the land title and survey statutory and regulatory structure.
5. The LTSA has discharged statutory functions in full compliance with legislative and regulatory requirements as well as administrative law principles, and its operations are aligned with the Province's Taxpayer Accountability Principles.
6. LTSA continues to operate in accordance with its mandated purposes and not-for-profit status for taxation purpose. As a result of achieving operating efficiencies and through prudent financial management, LTSA has been able to make the significant investments required to modernize business processes and renew the workforce. During the past 10 years, the LTSA re-invested 89% of its operating margin to operational improvements, thereby establishing a sustainable platform for future delivery of BC's land title and survey systems.
7. Throughout its ten years of operations, the LTSA has continuously received high customer trust and satisfaction ratings, with very low levels of service complaints considering the extremely high volumes of business transactions that it conducts.
8. **In alignment with the Province's priorities for public infrastructure, the LTSA is making significant capital investments in the ParcelMap BC initiative to improve public access to information respecting private and public lands, streamline administrative processes, and enable better decisions regarding the use of its resources.**
9. Based on historical transaction trends and continued prudent financial management, LTSA will continue have the necessary financial resources for continued reinvestment in capital and operating improvements.

### Conclusion

The Province's decision in 2005 to implement a 'regulated authority' model for managing BC's land title and survey systems provided the underpinning foundation for maintaining and modernizing its highly effective land title and survey systems. This is primarily due to the central features of the model:

- Ability of the LTSA to earn and retain fee revenue.
- Requirement to reinvest all proceeds in compliance with the purposes of the organization.
- Singular focus on accountable delivery of BC's land title and survey systems in the public interest.

As an organization established to deliver the Province's vision, the ten year performance results identified in this report demonstrate the LTSA's high degree of success in managing BC's land title and survey systems in the public interest. Close collaboration with the Province on operational and strategic matters has been instrumental in this success. Going forward, continuing improvement of the land title and survey systems under LTSA leadership can be expected to produce ongoing stability, confidence and customer satisfaction with the systems.

## 1.0 INTRODUCTION

### 1.1 Purpose of Report

This Ten Year Operations Report has been prepared by the Land Title and Survey Authority of British Columbia (LTSA) with input from the Province to report on the operational activities of the LTSA over the past decade, and inform the regularly scheduled review of the obligations established under the 2005 Operating Agreement between the Province and the LTSA. The Operating Agreement commits the parties to review the performance of the parties every five years and, additionally, to meet after 10 years of operations to review specified LTSA performance obligations and the sufficiency of LTSA revenues. This report is provided to support both of these requirements.

The report:

- Provides a consolidated summary of LTSA activities in the period 2005 to 2015;
- Presents information on the **LTSA's role and performance as operator, regulator, steward and contributor to the strategic direction of BC's land title and survey systems**;
- Discusses the sufficiency of LTSA revenue from fees collected;
- Is based on and supplements existing published reports on the LTSA's annual operational and financial performance and activities;
- **Is part of the LTSA's commitment to open and transparent operations**; and,
- Has been developed for the use and benefit of individuals and organizations with an interest in LTSA accountabilities and performance in the ten year period since its establishment.

### 1.2 Report Organization

Chapter 1 of this report provides general information on BC's land title and survey systems, the origins of the LTSA, the LTSA's governance and accountability frameworks and organizational structure, and the key findings of the 2010 review of the performance of the LTSA and the Province under the Operating Agreement.

The remaining chapters of the report are organized according to the **LTSA's four primary roles with respect to BC's land title and survey systems**, consistent with its establishment as a 'regulated authority'. The four primary roles of a regulated authority are typically understood to be:

- Operator* – Deliver services in accordance with enactments and operational practice requirements to meet defined service levels efficiently and cost effectively.
- Regulator* – Uphold quality execution and standards of practice of regulatory and policy framework, including operational regulatory activities.
- Steward* – Protect and preserve the integrity of the regulatory processes, system, records and assets.
- Strategist* – Provide leadership and help set the future regulatory environment, and align delivery to meet mutual interests and respond to change management issues.

Accordingly, chapters 2 through 5 of the report contain the following content:

Chapter 2 describes the **LTSA's operational activities**. These are the LTSA's day-to-day transactional activities that primarily include land title registrations, survey plan approvals, records and document distribution, and provision of routine ongoing support services to various public agencies in BC.

Chapter 3 describes the LTSA's responsibilities and activities as a **regulator of BC's land title and survey systems**. This primarily relates to the functions of the LTSA's statutory decision-makers, and includes the responsibilities of these officials in making regulatory decisions according to their specified statutory powers and administrative fairness principles, and regulating the practice standards of key professionals (e.g., lawyers and land surveyors) who interface with the LTSA.

Chapter 4 reports on the LTSA's responsibilities and activities as a **steward of BC's land title and survey systems**. This includes the work that the LTSA does to maintain transparent and accountable business processes, collaborate with the Province on land title and survey matters, liaise with customers and stakeholders, manage finances and human resources, manage land title and survey records, enable access to information and privacy protection, and manage service complaints.

Chapter 5 provides information on the LTSA's responsibilities and activities that **contribute to the strategic direction for the land title and survey systems**. This primarily involves working closely with the Province in their efforts to maintain the strategic policy and legislative framework for the land title and survey systems. This includes providing operational advice to the Province in developing new and amended legislative provisions, contributing to other organizations' policy reviews, and participating in various forums and initiatives related to land title and survey strategic issues.

Several appendices support the report content by providing expanded/explanatory information.

### 1.3 BC's Land Survey and Land Title Systems: Overview

BC's land survey system and land title systems work in tandem to establish secure legal interests and rights to real property. In addition to providing an essential underpinning to BC's private property market, these systems support aspects of the provincial civil justice system, property assessment and taxation and Crown land management.

#### *Land Survey System*

BC's land survey system supports the registration of private land titles and interests in Crown land by accurately defining the geographic extent of parcels of land.

All land surveys are conducted by a professional land surveyor, operating in accordance with prescribed surveying standards and practices. Admission to the land surveying profession and the definition of surveying standards and practices in BC are regulated by a self-governing body — the Association of BC Land Surveyors (ABCLS). The Surveyor General of BC, who is appointed under statute, is a member of the Board of the ABCLS and is responsible for approving provincial land survey rules. The Surveyor General is a senior official within the LTSA.

A land survey is represented by a land survey plan which is a scale-drawing identifying the parcel's location relative to surrounding parcels, and area and boundary dimensions. Survey plans show monumentation and other ancillary evidence of parcel corners and boundaries. The survey plan establishes a unique legal description for each parcel surveyed according to established conventions for legal descriptions.

Survey plans for titled land are deposited in BC's land title offices and provide the spatial foundation for titles to land. Survey plans for Crown land are deposited in the Province's Crown land registry and provide the spatial foundation for the issuance of Crown land tenures and other legal interests on Crown land. All survey plans submitted to the LTSA are examined to ensure they comply with required standards before they are accepted for deposit into the land title office or the Province's Crown land registry.

#### *Land Title System*

The central component of BC's land title system is a computerized land title register which is established and maintained in accordance with the *Land Title Act*. Under the *Act*, Registrars of Title register ownership of land and are responsible for the accuracy and security of all titles to property in the province. The main activities of Registrars and other Land Title Division staff members are receiving applications for land title registration, evaluating applications to ensure they meet required standards of accuracy and completeness, responding to requests for title searches, and distributing related land title documents and survey plans.

A title to land lists the name(s) of the registered fee simple owner(s) of the property, the parcel's legal description and identifier number, and any charges registered against the title. Charges include subordinate interests and encumbrances such as mortgages, statutory rights-of-way, easements, covenants, judgments filed in support of debt/tax collection, certificates of pending litigation affecting the title, and claims of builders liens.

The land title register is the single, authoritative source of all information related to each of the approximately two million existing land titles in BC. The person named in the register as owner of a title has complete assurance of ownership. There is no need to conduct searches of former deeds or historical land transfer documents, as occurs in many other jurisdictions to ascertain ownership - ownership is guaranteed by virtue of the title being registered. Moreover, an Assurance Fund is maintained to compensate a title holder in the unlikely event that a title holder is financially affected by a title registration error or becomes the innocent victim of title fraud.<sup>1</sup>

Each year, several million land title transactions are processed, including property ownership transfers, registration of legal notations on land titles, searches and retrieval of registered records, and issuance of certificates.

Virtually all titles are supported by an underlying land survey plan, also deposited in the land title register, which establishes the legal descriptions of parcels and expresses their dimensions and areas.

These features, coupled with the fact that the land title system is established and regulated by statute, provide a stable and confident basis for investment and economic development.

#### ***Management of BC's Land Title and Survey Systems***

Traditionally, BC's land title and survey systems were operated within provincial ministries. The Attorney General's ministry managed the operations of the land title offices, with the Director of Land Titles and the Registrars of Title employed by that ministry. The administration of surveys of Crown land and the preparation and issuance of Crown grants were managed by the Ministry that had administration of Crown lands, where the Surveyor General was employed. In 2001, the land title and land survey functions were brought together into the Ministry of Sustainable Resource Management.

On January 20, 2005, the provincial legislature enacted the [Land Title and Survey Authority Act](#) to establish the LTSA as a regulated, not-for-profit statutory authority, independent of government with responsibility to manage BC's land title and survey systems.

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<sup>1</sup> BC's land title system is referred to as a "Torrens" system of land registry, first introduced in Australia in 1858 and named after the system's architect, Robert Torrens. In 1861, a modified Torrens land registry system was adopted for Vancouver Island when it was a British colony, and the basic system has remained in BC ever since. As part of its land title management responsibilities, the LTSA maintains an Assurance Fund for title registrations conducted by the LTSA. The Province maintains a separate Assurance Fund for land title registrations conducted prior to the LTSA's establishment in 2005.

The shift to this management model was instigated primarily by the diminishing ability of land title offices, in the period leading up to the **LTSA's creation**, to provide registration services in a timely manner. In the 2002 to 2004 period, BC experienced a very active real estate market which resulted in a marked rise in the time required to register transactions. Customer expectations for land title office processing times were not being met.

In response to this issue, the Law Society of British Columbia came forward with a proposal to create a new self-funded entity (the LTSA), modeled after the Vancouver Airport Authority, with a governance structure that has only one priority — the proper operation of land title and survey functions in BC. The proposal also envisioned combining land titles and the Office of the Surveyor General into one independent Authority to bring together the two key functions that deal with all aspects of property ownership — title registration and survey. The Province accepted the proposal and the LTSA was established in 2005.

Starting in the late 1980s and continuing to this day, BC has undertaken legislative and technological changes as one of the first jurisdictions to move towards paperless (electronic) land title registration practices. Making this transformation has required extensive capital investments and stakeholder consultations, which, over the past 30 years, have greatly increased efficiencies and reduced costs.

The initial investments for electronic filing of land title applications were undertaken by the Province. However, because the responsible provincial ministries faced budget restrictions, they were unable to make the multi-year investments needed to keep the systems current or proceed with further efforts to increase the number of types of land title documents that could be filed electronically. Moving the systems to an independent authority has allowed the LTSA, on the basis of customer fee revenue and efficient operations, to re-invest directly in technology improvements and human resources to enhance customer service and reduce system costs. The self-financing, regulated authority model has enabled the LTSA to **establish a more stable foundation for BC's land title and survey systems**.

As an independent, self-funded authority, the LTSA has more flexibility than line ministries to act quickly to adjust capacity to meet service demand. **The LTSA operates outside of government's budgetary system, and is able to engage in long-term planning to improve operational efficiency and sustainability.**

Over the last ten years, about 3.8 million transactions have been processed annually, of which approximately 20 percent have been for registration of land title interests and registration of survey plans. Approximately 80 percent of transactional volumes were for searches and retrieval of registered records and issuance of certificates of title. With such high transactional business volumes, *efficient* operation of **the systems is key to maintaining certainty and confidence in BC's land title and survey systems**. Investment into online services and automation has been essential to achieve the necessary efficiencies.

The LTSA has been able to entirely self-fund its significant capital and operational investments and continues to provide a portion of fee revenue to the Province (in 2013/14: \$29.7 million). LTSA capital expenditures have totaled approximately \$39.4 million since 2005, including:

- Replacement of outdated software and hardware purchased from the Province in 2005;
- Investment in automated and assisted land title examination which is the first of its kind in Canada;
- Enhancements to electronic search and filing functionality used by customers, and the development of a new portal that allows customers to access these services;
- Investments in records storage vaults and the conservation of historic land title and survey records;
- Office leasehold improvements; and,
- Human resource renewal including the recruitment and training of the necessary skills to support ongoing operations and the advancement of technology, as well as replacements for a large number of retirements.

Moving forward, the LTSA is now building ParcelMap BC, a single, complete, trusted and sustainable electronic map-based representation of all titled parcels and surveyed provincial Crown land parcels in the province.

Along with very positive customer feedback on its business modernization initiatives and customer service in general, the LTSA received an award as one of the Top 20 Most Innovative Companies in BC by BC Business magazine in 2013, and was also awarded the 2013 Team of the Year by the BC Technology Industry Association.

Appendix 1 summarizes the evolution of land title improvements that have occurred between the 1970s and the present, as land title administration has moved from the paper world to the electronic, and from management by government ministries to management by an independent statutory authority.

## 1.4 LTSA Governance and Accountability

The purposes of the LTSA, as established in the [Land Title and Survey Authority Act \(LTSA Act\)](#) are to:

- a) Manage, operate and maintain the land title and survey systems of British Columbia;
- b) Facilitate the execution of Crown grants;
- c) Manage, operate and maintain a land title system for a First Nation under a FNCIDA agreement<sup>2</sup>; and
- d) Carry on other necessary or advisable activities related to land title or survey systems.

All money earned by the Authority must be used for these purposes of the Authority.

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<sup>2</sup> First Nations Commercial and Industrial Development Act.

As a regulated statutory authority, the LTSA:

- Operates as an incorporated business which is subject to laws of general application and has corporate interest in efficient business operations; and
- Operates in the public interest and in accordance with the provincial land title and survey enactments and an [Operating Agreement](#)<sup>3</sup> with the Province. The Operating Agreement establishes the parameters within which the LTSA must operate and provides for scheduled reviews of performance of the parties to the Agreement, which are to be undertaken collaboratively.

### *Board of Directors*

The LTSA is governed by an eleven-member Board of Directors. The Board selects its members from nominations submitted from defined stakeholder entities. The entities represented on the Board include organizations with a direct interest in land title and survey operations and include: the legal community, land surveyors, real estate professionals, registry agents, local government and taxation authorities, First Nations, and the provincial government. Eligibility and procedures for Board appointment, and the Board's role and composition are all established by the *LTSA Act*.

**The LTSA Board has oversight of operations of BC's land title and survey systems.** In addition to overseeing typical corporate functions that would apply to any incorporated business (e.g., the strategic direction, business operations and governance of the LTSA), the Board also:

- Ensures that LTSA remains in compliance with:
  - Land title and survey enactments, including extensive public accountability provisions as set out in the *LTSA Act* with respect to financial and business reporting;
  - The Operating Agreement, including performance objectives and obligations for ongoing collaboration and communication on strategic public policy matters;
  - Statutes which apply to the LTSA as a designated public body (e.g., the *Freedom of Information and Protection of Privacy Act*, the *Ombudsperson Act*); and
- Ensures that its exercise of the following unique statutory functions is done in a fair and transparent manner:
  - Establish and oversee a process for dealing with service complaints;
  - Administer its complex regulated fee structure, including establishing fees in accordance with the Operating Agreement;
  - Appoint new Directors and the Board Chair and Vice Chair;
  - Establish its own compensation levels; and,
  - Appoint and supervise a Chief Executive Officer who in turn is authorized to appoint senior statutory officials under the land title and survey enactments, and other executives.

The LTSA's complex regulatory structure establishes unique statutory and other duties and obligations on the Board, which require balance between business efficiency and administrative fairness. The LTSA's extensive and comprehensive governance structures support the Board's performance of its duties in accordance with both business efficiency and public administration principles. These governance structures, policies, processes and procedures assist Board Directors in performing their duties in a manner that ultimately ensures that the LTSA operates efficiently and remains fully accountable to serving the BC public interest.

As required by the *Act*, the LTSA Board establishes [bylaws](#) to govern its activities. Bylaws have been created for a number of areas including methods of Board operation, annual public meetings, LTSA's portion of customer service fees and a public complaints procedure.

### *Stakeholder Advisory Committee*

The LTSA has established a [Stakeholder Advisory Committee](#) that meets regularly to provide advice to the LTSA President and CEO on matters relating to the LTSA mandate. A representative of the provincial ministry with responsibility for the *LTSA Act* is a standing member of this Committee<sup>4</sup>. The LTSA Board meets annually with the Stakeholder Advisory Committee to hear stakeholder reports on LTSA's management of the land title and survey systems. The terms-of-reference for the Stakeholder Advisory Committee are provided in Appendix 2.

### *Transparency of Operations and Accountability*

The *LTSA Act* establishes specific LTSA accountabilities regarding transparency of operations, including requirements to make business plans and records accessible, hold an annual general meeting open to the public, and publicly release an annual [strategic direction](#) brochure, three-year [business plan](#) and an [annual report](#) with audited financial statements, and establish a public complaints procedure.

The LTSA employs officials with statutory decision-making responsibilities (e.g., Director of Land Titles, Registrars of Title, Surveyor General) who are subject to public accountability requirements identified in statute and also common law duties of administrative justice and fairness in respect of their duties.

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<sup>3</sup> When the LTSA was established in 2005, an Operating Agreement with a 60 year term was executed between the LTSA and the Province documenting key LTSA and Provincial commitments, including among other things: LTSA performance targets; provisions for establishing and sharing fee revenue; mechanisms for ongoing liaison between the Province and LTSA; a requirement for the Province to consult the LTSA on legislative matters related to land titles and surveys; and a requirement for periodic review of the performance of the parties to the agreement.

<sup>4</sup> Currently the Ministry of Forests, Lands and Natural Resource Operations

The LTSA is subject to:

- Oversight by the Canada Revenue Agency, **consistent with the LTSA's status as a not-for-profit organization**;
- Scheduled performance reviews undertaken cooperatively with the Province with the results made publicly available;
- A sufficiency of revenue review every ten years;
- Statutory procedures for appointing Board members, and qualification criteria for Board membership;
- Legislative safeguards on how LTSA revenues are spent and how service fees are established;
- Review by the provincial Ombudsperson in response to potential public complaints about administrative fairness; and,
- Provincial legislation respecting freedom of information and protection of personal information.

The LTSA publishes information on LTSA operational activities on its [website](#), including annual reports and business plans, quarterly financial results, newsletters, and information on corporate governance.

In 2014, the Province adopted a set of six 'taxpayer accountability principles' for public sector organizations to strengthen accountability, promote cost control and ensure they operate in the best interest of taxpayers. The principles are cost-consciousness (efficiency), accountability, appropriate compensation, service, respect and integrity. **The LTSA's governance framework and ongoing business operations align completely with these principles, as demonstrated in the summary in Appendix 3.**

Further detail on the LTSA's commitment to transparent and accountable business management is provided in section 4.1.

## 1.5 LTSA Structure and Organization

The LTSA is led by a President and CEO appointed by the Board and responsible for ensuring that Board-approved strategic and business plans are efficiently and effectively implemented. The CEO appoints the persons who will hold the positions of Director of Land Titles and the Surveyor General. The CEO also appoints other executive roles, and is responsible for ensuring that LTSA operates in compliance with legislative and regulatory requirements including freedom of information and protection of privacy legislation.

At December 31, 2014, the LTSA and its subsidiary had a complement of 147 employees organized into four operating areas: Land Title Division (LTD), Surveyor General Division (SGD), Corporate Services Division, and LandSure Systems Ltd., a Vancouver-based wholly-owned subsidiary. Appendix 4 shows a general LTSA organization chart as of March 2015.

The central responsibilities of the LTD are as follows:

1. Administer and maintain the register of land titles **through the operations of BC's three land title offices**. Documents and plans submitted for registration are examined as part of the registration process to ensure that registration results in "good safe holding and marketable title";
2. Support access to land title information; provides land title records in response to search requests, and maintains historic land title records; and,
3. Regulation of the process of submission of land title applications.

The SGD is responsible for maintaining the quality of BC's legal survey structure. The Surveyor General provides government agencies with advice on survey and historical survey records, accepts and examines plans of surveys of Crown land, and files Crown land survey plans into either the Crown land registry or the land title register. Surveyor General personnel also issue Crown grants on behalf of the Province for the disposition of Crown land. Crown grants are delivered to the land title office and, once registered, a new title is created.

The SGD also adjudicates various applications made under statute for matters such as Accretion, Natural Boundary Adjustment, or Block Outline Survey applications, etc. and designations of those who may hold Statutory Rights-of-Way or Covenants. This Division is also responsible for the maintenance and distribution of Crown land survey records, and conservation of historic survey records.

The Corporate Services Division is responsible for managing the LTSA's corporate, financial, human resources, information technology, and legal interests. Corporate Affairs supports government relations, Board operations, legal/corporate governance and compliance, and Stakeholder Advisory Committee activities. The Division is also responsible for liaising with the Province on matters related to the Operating Agreement.

LandSure Systems Ltd. provides the LTSA with specialized technology and project management services supporting major systems initiatives, the operation of the LTSA's online customer portal and associated technical support services, and communication and stakeholder consultation services.

The LTSA's corporate headquarters, the Victoria land title office and the SGD are located in Victoria. Land title offices are also located in New Westminster and Kamloops.

## 1.6 Results of the Performance Review of First Five Years of Operation

In July 2010, the LTSA and Province completed a review of the first five-years of performance of the LTSA and the Province under the Operating Agreement. The review was conducted by an independent management consultant who found, in the period 2005 to 2010, that:

- The LTSA consistently met and exceeded the performance targets set out in the Operating Agreement for application processing times for service transactions. This is, and continues to be, a significant improvement from processing times in the several years preceding establishment of the LTSA;

- LTSA stakeholders unanimously agreed that services improved under the LTSA, in terms of timeliness and consistency, as compared to services provided prior to the LTSA. They felt they had greater opportunity to voice their suggestions, and that the LTSA gave appropriate consideration to their suggestions in business planning processes;
- Customers felt there was a stronger customer focus, relationships were more respectful, and LTSA operations were transparent. They noted that, although there was a small increase in service fees under the LTSA, these were outweighed by the benefits; and,
- In each year of operations, the LTSA generated more revenue than what was spent on operations. The excess monies were reinvested into capital assets, or placed in Board-approved reserve funds for contingency and Assurance Fund purposes, in accordance with the statutory requirement for the LTSA to operate as a not-for-profit organization.

The review also found that, where the LTSA and the Province interacted on routine activities, relationships worked very well - for example, the transfer of monies collected by the LTSA on behalf of the Province, and the transfer of land title and survey data to provincial agencies that rely on the information.

The consultant made **recommendations to strengthen the LTSA's relationship with the Province around change management issues** through more consistent ongoing communications and formal communication channels. A Strategy Forum, discussed in section 4.2, was created to facilitate communication and joint efforts.

## 2.0 LTSA AS OPERATOR OF BC'S LAND TITLE AND SURVEY SYSTEMS

LTSA responsibilities as the **operator of BC's land title and survey systems** involve day-to-day delivery of land title registration and land survey administration services to LTSA customers in accordance with timeliness targets established for the LTSA in the Operating Agreement. It also involves maintaining and distributing land title and survey records to customers, and providing various services directly to provincial agencies to support property taxation, citizen services as delivered by the Province, and the First Nations treaty process.

### 2.1 Land Title Division: Operational Activities and Performance

LTD services are provided out of three land title offices located in Kamloops, New Westminster and Victoria. **The majority of the LTD's title registration and records distribution services are provided to primary customers, including lawyers, land surveyors, bankers, notaries public, registry agents and realtors.** The LTD also provides a diversity of services to government agencies and taxation authorities. Both of these service categories are described below.

#### *Primary Operational Services*

- Primary operational activities performed by the LTD include: Examine applications to register interests in land, including transfers of ownership and the registration of charges against title, and the registration of survey plans that define the boundaries of parcels and charges, including subdivision and strata plans. The examination process occurs in accordance with strict standards. Only those applications that meet the standards are eligible for registration;
- Operate and maintain the land title register (ASTRA) system to enable the rapid and accurate registration of land title applications; and
- Provide for access to both hardcopy historic land title records and electronic records at the land title offices and through electronic service delivery channels.

LTD operations are characterized by high daily volumes of business transactions. In the 2005/06 to 2013/14 period, the LTD processed an average of over one million transactions per year<sup>5</sup>.

When registration applications are received, they are examined to ensure they meet the legal and technical requirements for registration. **As identified in the Operating Agreement, the LTSA's performance target for receiving, examining and registering land title applications is a maximum of six business days.** The LTD has consistently achieved processing times below that target — since 2005, the annual average processing time for registering *Land Title Act* applications (i.e., *Land Title Act* documents and survey plans) has been about 4.4 days.

Since its establishment, the LTSA has introduced technological solutions and worked closely with customers to increase the proportion of land title office applications submitted electronically. In 2014, over 90 percent of land title document registration applications were received online. As well, in 2006, capacity was created for customers to electronically submit survey plans for review and deposit. In 2014, nearly all *Land Title Act* survey plans were submitted electronically.

In 2012, as part of **the LTSA's business modernization initiative**, the LTD implemented automated examination and registration processes. By 2014, over 40 percent of all document registration applications were examined and registered through fully automated processes - i.e., whereby online applications are processed using custom-built software. Automated examination and registration further enables the LTD to enhance service timeliness and reduce operational costs.

In addition to processing land title registration applications, the LTD is responsible for providing customers with access to documents and plans contained in the land title register. Since 2005, well over two million requests for title searches and copies of documents and plans

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<sup>5</sup> The volume of LTD business transactions varies year to year (as shown in Table 1), depending on a number of factors. LTSA statistics on business transactions are collected and reported on a fiscal year basis—April 1 to March 31.

have been processed each year. This service is primarily provided by online means. Up until 2013, the LTSA relied on the Province’s e-business portal (BC OnLine) to enable customer access to LTD services. In 2014, the LTSA introduced its own online point of access to LTSA electronic services and information. Known as myLTSA, this integrated portal system provides customers with integrated and streamlined account, payment and support services – see section 2.3 for further information on myLTSA.

Table 1 summarizes the LTD’s 2005/06-2013/14 operational performance in relation to performance targets for primary services, where targets are established<sup>6</sup>.

Table 1. Land Title Division: Primary Business Activities and Performance

Land Title Division	2013/14	2012/13	2011/12	2010/11	2009/10	2008/09	2007/08	2006/07	2005/06	LTSA Performance Targets
Number of applications to register land title documents and plans	670,000	680,000	1.0M	1.07M	1.12M	1.14M	1.36M	1.33M	1.23M	n/a
Average processing time for registering land title instruments*	3.7 days	5.3 days	3.4 days	4.7 days	4.8 days	4.3 days	4.3 days	4.5 days	4.6 days	6 business days
Number of online business transactions**	3.8M	3.3M	3.5M	3.4M	3.8M	4.4M	4.3M	3.7M	3.6M	n/a
Percent of land title document registrations submitted electronically	92%	89.2%	66.6%	55.8%	53.9%	38.6%	34.7%	26.8%	19.5%	n/a
Percent of land title plans submitted electronically***	96%	85%	58%	41%	26%	10%	-	-	-	-

\* Includes land title documents and survey plans.

\*\* Includes online title searches, document and survey plan distribution, and electronic filing of applications for land title office document registration.

\*\*\* Electronic filing of land title office plans became available in February 2008.

### *Operational Services Provided to Public Agencies and Taxation Authorities*

The LTD also provides a range of business services on an ongoing basis to provincial agencies that are not all reflected in the statistics shown in Table 1.

These are shown in Table 2. Many of these are direct services provided to specific provincial agencies; others are less direct and reflect a service provided in the general public interest. The Province is exempt from payment of the LTSA’s customer service fees, as are local governments performing land title searches for the purposes of taxation or assessment.

<sup>6</sup> Information on LTD performance achievements for 2014/15 are consistent with prior achievements and will be publicly reported in the LTSA’s 2014/15 annual report.

Table 2. Land Title Division: Service Delivery to Public Agencies

Service Delivery	Description	Public Agencies Involved	Extent/Frequency
1. Land title search and registration	Enables online land title searches to identify interests and ownership in land.  Examines and deposits/registers legal documents into the land title register, adjusting title interests and ownership (includes confirmation of professional certification in conformance with <i>Evidence Act</i> requirements).	LTD services are provided to numerous provincial ministries and agencies and local governments on an ongoing basis, including: <ul style="list-style-type: none"> <li>• Aboriginal Relations and Reconciliation</li> <li>• Justice (and Attorney General)</li> <li>• Community, Sport and Cultural Development</li> <li>• Finance (tax collection and foreclosures)</li> <li>• Forests, Lands and Natural Resource Operations</li> <li>• BC Housing (property development)</li> <li>• Jobs, Tourism and Skills Training</li> <li>• Transportation and Infrastructure (expropriations and notations on title)</li> <li>• BC Assessment and taxing authorities</li> </ul>	Each year, the LTD processes a significant number of land title transactions (registrations, searches) on behalf of provincial ministries and agencies. For the services provided by the LTSA to the Province at no charge during 2013/14 the value of foregone revenue is \$1.65 million. Additionally, for the same period, the LTSA provided service at no charge to those public sector organizations conducting property taxation activities, was worth \$1.17 million.
2. Collects and remits statutory fees	As agent for the Province, the LTSA collects and remits the <b>Province's portion of customer fees</b> under the <i>Land Title Act</i> and the <i>Land Act</i> .	<ul style="list-style-type: none"> <li>• Finance</li> <li>• Office of the Auditor General (annual independent audit of collection)</li> <li>• Forests, Lands and Natural Resource Operations</li> </ul>	Fees collected on behalf of Province are remitted daily to the Province. More than half of the land title fees paid by customers are collected and remitted to the Province.
3. Supports provincial and local government property assessment and taxation system	Provides title and charge updates to BC Assessment and local governments in support of their property assessment functions.	<ul style="list-style-type: none"> <li>• BC Assessment</li> <li>• Finance</li> <li>• Local governments</li> </ul>	Daily data downloads are provided to BC Assessment.
	Provides legal survey plans to BC Assessment and local governments.	<ul style="list-style-type: none"> <li>• BC Assessment</li> <li>• Local governments</li> </ul>	Where a new indefeasible title is registered, s. 98 of the <i>Land Title Act</i> requires the land title office to send a copy of the deposited plan to taxing authorities.
	Registers property tax deferment notices on title, as means of implementing the provincial tax deferment program.	<ul style="list-style-type: none"> <li>• Finance</li> </ul>	In 2013/14, there were 9,549 <i>Land Tax Deferment Act transactions</i> (registrations or releases).
4. Supports the operation of a range of legislative regimes to recognize the interests of citizens, businesses and numerous government agencies	Registers statutorily-defined legal notices and charges on land titles, in order to recognize the legal and economic interests of citizens/taxpayers, business owners and government agencies.  These registrations support a number of public interest aims, including economic stability, civil justice, business and consumer confidence, public safety, orderly land use and environmental conservation.	<ul style="list-style-type: none"> <li>• Justice (and Attorney General)</li> <li>• Environment</li> <li>• Agriculture</li> <li>• Federal government</li> <li>• Other ministries (and local governments)</li> </ul>	Over two dozen provincial statutes provide for registration of approximately 170 different types of legal notices and charges on titles to land. Many thousands of such endorsements on titles to land exist.  As examples, registrations: under the <i>Patient's Property Act</i> to recognize the property rights of vulnerable institutionalized citizens; under the <i>Family Law Act</i> , to uphold the real property provisions of court-ordered marital separation agreements; under the <i>Builders Lien Act</i> , to recognize the financial interests of building contractors by filing liens for unpaid building services; under the <i>Land Title Act</i> to secure a local public good, such as green space or a view corridor, by registering restrictive land use covenants.

Service Delivery	Description	Public Agencies Involved	Extent/Frequency
5. Supports First Nations initiatives and implementation of First Nations treaty settlements	<p>Provides advice on land title and survey practice requirements, in support of treaty resolution and other initiatives.</p> <p>Support has been provided for the: Tsawwassen, Maa-nulth, Yale and Sliammon Treaty tables, the <i>Squamish Nation Commercial and Industrial Development Act</i> (FNCIDA) initiative, and the <b>TK'emlups First Nation Property Ownership Act</b> (FNPOA) initiative.</p> <p>Operates registry systems for Treaty First Nations, as established, such as any under FNCIDA agreements, and responds to other evolving title initiatives.</p>	<ul style="list-style-type: none"> <li>Aboriginal Relations and Reconciliation</li> <li>Justice (and Attorney General)</li> <li>Federal government</li> </ul>	Ongoing
6. Provincial representative to Canadian Conference of Land Title Officials (CCLTO)	The CCLTO provides a cross-country forum for officials responsible for the regulation of land registrations throughout Canada.	<ul style="list-style-type: none"> <li>CCLTO</li> </ul>	Annual
7. Provincial representative to Registrars of Title Conference (ROTC)	The ROTC, with representatives from Australia, New Zealand, UK, Canada, Hong Kong and Mauritius, shares information on new developments and experiences in tackling issues related to land titles.	<ul style="list-style-type: none"> <li>ROTC</li> </ul>	Annual

## 2.2 Surveyor General Division: Operational Activities and Performance

The Surveyor General of BC acts as the Province's land surveyor. To fulfill this role, the Surveyor General has delegated authority from the Minister to enable the Surveyor General to perform various duties of the Minister related to land surveys, as set out in several provincial statutes (e.g., *Land Act*, *Land Title Act*, *Land Survey Act*). As the Province's land surveyor, the Surveyor General also provides considerable professional advice and technical support to various government ministries, primarily the Ministry of Forests, Lands and Natural Resource Operations and the Ministry of Aboriginal Relations and Reconciliation.

The Surveyor General oversees the SGD which consists of Deputy Surveyors General and technical and administrative staff. The work of the SGD is focused on maintaining the integrity of provincial land survey structure. One of the SGD's responsibilities involves receiving and reviewing survey plans of Crown land to determine if they are acceptable for confirmation and deposit into the Province's Crown land registry or in the land title register as may be the case<sup>7</sup>. Since 2005/06, the SGD has annually reviewed and confirmed an average of approximately 2,100 Crown land survey plans. The processing time target for Crown land survey plan confirmations, as set out in the Operating Agreement, is 21 business days. In the 2005/06 to 2013/14 period, the SGD's annual average fiscal year processing time for reviewing and depositing Crown land surveys was just over seven days<sup>8</sup>.

The SGD is also responsible for preparing and issuing Crown grant documents at the direction of the Province. Crown grants effect the transfer of Crown land from public to private ownership. The Crown grant document forms the 'root' of title and, in this sense, Crown grants are the link between the Province's business of Crown land allocation and the LTSA's business of land titles registration. In the 2005/06 to 2013/14 period, the SGD has issued, on average, approximately 200 Crown grants each year at the Province's request, with an annual average fiscal year processing time of under four days<sup>9</sup>. The performance target for this service is 21 days.

Another SGD function is to receive and make determinations on 'statutory applications' that are prescribed in legislation. These relate to the Surveyor General's exercise of delegated authority in the public interest. Included are applications, typically from land surveyors acting on behalf of land owners, respecting the location of natural boundaries, accretions, the use of deferred posting for land title subdivisions,

<sup>7</sup> All Crown land survey plans are now submitted electronically to the SGD. Electronic plan filing for Crown land surveys was made available to surveying professionals in July 2006.

<sup>8</sup> LTSA statistics on business transactions are collected and reported on a fiscal year basis: April 1 to March 31.

<sup>9</sup> The number of Crown grants issued annually is trending downward in recent years.

and applications for statutory right-of-way and conservation covenant holder status. In the 2005/06 to 2013/14 period, the SGD processed on average, approximately 400 statutory applications annually, with an annual average fiscal year processing time of just over 6 days. This is well within the 21 day performance target established in the Operating Agreement.

The SGD is also responsible for providing copies of Surveyor General records, in response to customer requests (e.g., Crown land survey plans, Crown grants and historical field notes). The average response time for responding to these requests is less than a day.

Table 3 summarizes the SGD 2005/06-2013/14 operational performance in relation to performance targets where targets are established<sup>10</sup>.

*Table 3. Surveyor General Division: Business Activities and Performance*

Surveyor General Division	2013/14	2012/13	2011/12	2010/11	2009/10	2008/09	2007/08	2006/07	2005/06	LTSA Performance Targets
Number of Crown land survey plans received and reviewed	1,876	2,312	2,152	1,591	2,155	3,880	2,353	1,461	1,356	n/a
Average processing time for <i>Land Act</i> survey plan confirmation	5.9 days	8.1 days	4.7 days	7.2 days	5.7 days	6.7 days	6.3 days	8.5 days	12.7 days	21 business days
Number of Crown grant documents issued	114	98	126	192	110	232	315	292	445	n/a
Average processing time for issuing Crown grant documents	4 days	3.5 days	3.4 days	5.7 days	4.6 days	4 days	2 days	3 days	4.7 days	21 calendar days
Number of statutory applications processed by Surveyor General	298	307	251	426	372	470	410	478	509	n/a
Average processing time for Surveyor General applications	2.5 days	3.2 days	3.5 days	5.7 days	5.5 days	5.6 days	6.3 days	11.6 days	12 days	30 business days
Number of requests for information: Records Distribution Services*	807	782	715	644	1,754	2,134	2,897	2,478	1,486	n/a
Average processing time for records information requests	0.6 day	0.6 day	0.5 day	1 day	1 day	1 day	1 day	1.5 days	1 day	n/a

\* The method for tracking this statistic was changed in 2010/11 to record the number of responses to requests for information, as opposed to the number of individual documents, plans, field books, etc. provided.

<sup>10</sup> Information on SGD performance achievements for 2014/15 are consistent with prior achievements and will be publicly reported in the LTSA's 2014/15 annual report.

Table 4 provides detail on the diverse range of services provided to public agencies by the SGD. These services are provided without charge.

*Table 4. Surveyor General Division: Service Delivery to Public Agencies and Associations*

Service Delivery	Description	Public Agencies or Association Involved	Extent/Frequency
1. Supports maintenance of a high quality cadastral (i.e., legal survey) fabric in the Province.	Provides the Province with confirmed Crown land survey plans (Official Plans), in order for the Province to update its legal boundary (cadastral) mapping when issuing Crown land dispositions.	<ul style="list-style-type: none"> <li>• Environment</li> <li>• Energy and Mines</li> <li>• Forests, Lands and Natural Resource Operations</li> <li>• Transportation and Infrastructure</li> <li>• Oil and Gas Commission</li> </ul>	Annually, an average of approximately two thousand confirmed plans are transmitted to the Province each year, some of which are registered in the land title system.
	As part of the Crown land survey approval process, works with provincial agencies, as necessary, to advise on/resolve boundary issues.	<ul style="list-style-type: none"> <li>• Ministry of Aboriginal Relations and Reconciliation</li> <li>• Forests, Lands and Natural Resource Operations</li> <li>• Energy and Mines</li> <li>• Transportation and Infrastructure</li> <li>• Oil and Gas Commission</li> <li>• Others</li> </ul>	Ongoing
	Approves Integrated Survey Area (ISA) boundary maps and coordinates for entry into the <b>Province's MASCOT system</b> .	<ul style="list-style-type: none"> <li>• Forests, Lands and Natural Resource Operations</li> </ul>	<b>The Province's MASCOT database</b> contains information on the provincial network of over 50,000 survey control monuments located throughout BC. The SGD provides advice and consulting services related to ISAs each year.
2. Crown Grant issuance	Prepares and issues Crown grant documents on behalf of the Province, and transmit grants to the land title office ( <b>directly or via the grantee's solicitor</b> ) so titles may be created for Crown granted parcels.  As well, the SGD supports the <b>province's property tax regime</b> by providing BC Assessment and the Property Tax Branch of the Ministry of Finance with notice of each Crown grant issued, so provincial records may be updated to reflect new titles.	<ul style="list-style-type: none"> <li>• Forests, Lands and Natural Resource Operations</li> <li>• Transportation and Infrastructure</li> <li>• Aboriginal Relations and Reconciliation</li> <li>• Finance</li> <li>• BC Assessment</li> </ul>	Since 2005, an annual average of approximately 200 Crown grants has been issued each year. (This figure is trending downward in recent years).  Each year, about half-a-dozen Crown grants are issued to the Crown itself, and title is created in the name of the provincial Crown.
3. Supports maintenance of the <b>Province's Crown</b> land registry	Deposits updated information into the Crown land registry, (e.g., Official Survey Plans and Crown grants).	<ul style="list-style-type: none"> <li>• Forests, Lands and Natural Resource Operations</li> </ul>	Ongoing
4. Land survey records distribution	Provides agencies with copies of land survey records (e.g., survey plans, field notes of survey, Crown grants) from the <b>Surveyor General's collection</b> , and provide records research/interpretation services as needed.	<ul style="list-style-type: none"> <li>• Aboriginal Relations and Reconciliation</li> <li>• Energy and Mines</li> <li>• Forests, Lands and Natural Resource Operations</li> <li>• Transportation and Infrastructure</li> </ul>	On average, the SGD receives over 700 information requests each year. A portion of these are to supply records and records interpretation services to provincial agencies.
5. Supports maintenance of provincial statistical information regarding real estate transactions	Provides BC Stats with selected statistical information on Surveyor General activities.	<ul style="list-style-type: none"> <li>• Technology, Innovation and Citizens' <b>Services</b></li> </ul>	Each month, the SGD provides BC Stats with data on the number of plans and applications received by the Surveyor General.

Service Delivery	Description	Public Agencies or Association Involved	Extent/Frequency
6. Supports implementation of First Nations treaty settlements	<p>Provides guidance and advice to the Ministry of Aboriginal Relations and Reconciliation on boundary matters, survey methodology, mapping of treaty settlement lands.</p> <p>Provides land and survey related support services for treaty resolution (e.g., historical records research and document provision; manages private land surveyors contracted to conduct surveys of treaty settlement lands; reviews and confirms treaty-related surveys).</p> <p>Support has been provided for the: Tsawwassen, Maa-Nulth, Yale and Sliammon Treaty tables. In addition, First Nations support is provided to Ministry of Aboriginal Relations and Reconciliation, NR Can, and Indian and Northern Affairs Canada not directly related to specific treaties.</p> <p>The Surveyor General also provides advice on First Nations boundary resolution matters.</p>	<ul style="list-style-type: none"> <li>• Aboriginal Relations and Reconciliation</li> <li>• Justice (and Attorney General)</li> <li>• Forests, Lands and Natural Resource Operations</li> <li>• Federal Government</li> </ul>	Based on past service levels, the SGD projects an annual commitment of ~ 0.75 FTE for First Nations support to the Province.
7. Provides provincial agencies with land survey expertise and services on as-required basis	<p>Provides provincial ministries and agencies with support and advice on boundary interpretation and resolution matters, trespass issues, natural boundary location issues, contract for survey services development and on survey matters.</p> <p>Supports provincial ministries in the development of selected provincial legislation, the establishment of new parks and protected areas, and the creation of new municipalities.</p>	<ul style="list-style-type: none"> <li>• Justice and Attorney General</li> <li>• Community, Sport and Cultural Development</li> <li>• Environment</li> <li>• Transportation and Infrastructure</li> <li>• Oil and Gas Commission</li> <li>• Forests, Lands and Natural Resource Operations</li> <li>• Aboriginal Relations and Reconciliation</li> </ul>	<p>For example, in the past, SGD has provided support to:</p> <ul style="list-style-type: none"> <li>• Oil and Gas Commission to develop legislation related to oil and gas activities;</li> <li>• Transportation and Infrastructure to develop survey rules for designating arterial highways;</li> <li>• Environment to confirm surveys for parks;</li> <li>• Community, Sport and Cultural Development to confirm surveys for new municipalities; and</li> <li>• Forests, Lands and Natural Resource Operations to advise on title clarification for submerged land.</li> </ul>
8. Represents the Province on Boundary Commission matters	<p>Represents the BC government on an inter-governmental Boundary Commission. (i.e., representatives of the BC, Alberta and federal governments) to address Alberta-BC boundary issues. Also, works with provincial <b>contacts to raise OIC's for boundary survey confirmation.</b></p>	<ul style="list-style-type: none"> <li>• Justice (and Attorney General)</li> <li>• Forests, Lands and Natural Resource Operations</li> </ul>	<p>There are approximately 5 active provincial boundary survey (plan) issues that are currently under active management in the SGD. The Commissioners meet twice annually.</p>
9. Board Member of the Association of British Columbia Land Surveyors (ABCLS)	<p>Under the <i>Land Surveyors Act</i>, the Surveyor General is appointed as a member of the ABCLS Board of Management.</p> <p>Works on an ongoing basis with the ABCLS to approve appropriate survey rules and professional land surveyor standards.</p>	<ul style="list-style-type: none"> <li>• ABCLS</li> </ul>	<ul style="list-style-type: none"> <li>• ABCLS Board of Management teleconferences every 6 weeks.</li> <li>• Face-to-face week-long Board meeting twice per year in addition to AGM.</li> <li>• Disciplinary hearings scheduled as necessary.</li> <li>• Approximately, 10 survey rule changes per year.</li> </ul>

Service Delivery	Description	Public Agencies or Association Involved	Extent/Frequency
10. Provincial representative to Canadian Council on Geomatics (CCOG)	Member of CCOG, with efforts focused on Cadastral Committee.	<ul style="list-style-type: none"> <li>CCOG</li> </ul>	<ul style="list-style-type: none"> <li>Monthly teleconferences, and annual meeting in the fall.</li> <li>Cadastral Committee – two face-to-face meetings across Canada per year.</li> </ul>

## 2.3 myLTSA

Officially launched on May 1, 2014 after a pilot phase, [myLTSA](#) is the official portal to the LTSA's Electronic Search and Filing services and information, operated by LandSure Systems Ltd. Prior to this date, customers accessed the LTSA's Electronic Services through BC OnLine.

Two myLTSA services are available:

- [myLTSA Enterprise](#): Allows access to the full suite of the LTSA's Electronic Search and Filing services using a deposit account payment structure; and,
- [myLTSA Explorer](#): Allows access to a limited annual amount of active land titles and strata plan searches using a pay-as-you-go model.

The myLTSA Technical Support team provides customers with telephone and email support, and queries pertaining to land title applications or the SGD are referred to either the LTSA Customer Service Centre, or the SGD, as appropriate.

As at December 31, 2014, about 5,800 customers, representing 29,600 users, use myLTSA Enterprise. Another 8,400 users use myLTSA Explorer.

## 2.4 First Nations Treaty Support

Both the LTD and the SGD provide services to the Province in relation to the finalization and implementation of First Nations treaties. This work includes:

- Providing support to treaty tables prior to and during treaty settlement processes (e.g., advising on surveys and survey standards, advising on existing boundary resolutions, creating survey instructions for the survey of treaty settlement parcels and review of resultant survey plans, contributing to treaty language respecting land titles registration requirements);
- Supporting the preparation and confirmation of land surveys for treaty settlement lands; and,
- Registering indefeasible titles for treaty settlement lands.

Appendix 5 provides additional information regarding LTSA services and interactions with the Province respecting First Nations treaty development and implementation.

## 3.0 LTSA AS *REGULATOR* OF BC'S LAND TITLE AND SURVEY SYSTEMS

As regulator of BC's land title and survey systems, the LTSA makes thousands of decisions daily on applications for land title and survey plan registration and related matters. These decisions are undertaken by the LTSA's statutory decision-makers (or staff acting under their direction), in accordance with their duties set-out in legislation, and in accordance with principles of administrative fairness. The decisions range from the simple and routine to the highly complex. In all cases, LTD decision-making is driven by the aim of ensuring good, safe and marketable titles.

To achieve this aim, LTD officials establish and ensure compliance with land title and land survey practice standards relating to operation of the land title and survey systems and the various professionals (e.g. lawyers, land surveyors) who perform land title and survey functions. They cooperate closely with the relevant self-governing professional bodies in developing practice standards.

Regulatory responsibilities also include ensuring that LTSA services are delivered in compliance with BC's privacy and access to information legislation.

### 3.1 Statutory Officials

Certain LTSA staff positions are granted statutory decision-making responsibilities under various enactments. These positions include the Director of Land Titles, Registrars of Land Title and Deputy Registrars with responsibilities established in 60 separate provincial statutes; and the Surveyor General and Deputy Surveyors General with delegated decision-making responsibility for 38 separate statutory provisions in nine different provincial statutes.

The Director of Land Titles has the responsibility to oversee land title office operations to ensure "consistency and uniformity" of practice. The Surveyor General is the senior official with oversight of land survey functions in the province. In these roles, these senior officials are responsible for ensuring maintenance of best practice standards by their staff.

Appointees to these positions are all required to be qualified professionals with training and experience in land title registration and land survey. Statutory decision-making authorities include:

- Making decisions on the registration of applications under the *Land Title Act* and 60 related enactments;
- Making rules with respect to land title policy and practice; administering a consistent approach to the land title Assurance Fund program (in association with the Province's advising solicitor on the *Land Title Act*);
- Making final decisions on survey rules for BC;
- Making decisions on survey-related applications such as block outline survey approval, accretions and natural boundary adjustments, designation of entities able to hold statutory rights-of-way or covenants; and,
- Providing recommendations to the Minister (e.g., boundary recommendations from the Surveyor General in his role as the Provincial Boundary Commissioner).

In exercising their statutory authority and discretion, these officials are required to perform their functions in strict compliance with their statutory mandates, and also principles of administrative fairness.

The vast majority of applications submitted to the Registrars of Land Title and the Surveyor General for filing and processing are initiated by professional practitioners who understand the land title and survey systems. These matters, if in compliance with the prescribed statutory requirements, typically proceed to a statutory decision in a predictable fashion, as anticipated by the applicant. In the rare situation, where a customer **is not satisfied with the LTSA's service or the outcome of a statutory decision-maker's** exercise of discretion, they may avail themselves of the opportunities for review and legal remedies, as below:

*Informal Inquiry* – to seek information from the LTSA's Customer Service Centre, speak with a senior manager, or obtain independent advice. Inquires of this nature are not uncommon and typically result in the issue being addressed through improved communications and consensus solution, averting the need for more formal action.

*Service Complaint* – made directly to the LTSA and handled using the LTSA's public complaints policy; or made to the Office of the Ombudsperson. See section 4.8 of the report for information on the incidence of service complaints.

*Judicial Review of Statutory Decision* – a standard remedy that applies to all statutory decision-makers. Since 2005, no decisions made by an LTSA statutory decision-maker have had to be determined by judicial review.

*Land Title Act Appeal to Supreme Court* – appeal of a Registrar's decision to reject or not proceed with an application. Since 2005, there have been three statutory appeals of Registrar decisions; in each case, the Registrar's decision was upheld by the court<sup>11</sup>.

*Land Title Act Assurance Fund Claim* – available in a number of situations, including those where administrative error by the Registrar has deprived a claimant of an interest in land. Since 2005, there has been one payout from the LTSA Assurance Fund for compensation of an administrative error. See section 4.5 of the report for further information on LTSA Assurance Fund payments, including payments for reasons other than 'administrative error'.

Although the LTSA's CEO appoints the LTSA's senior statutory officials, the CEO is not authorized to, and must not, influence or "fetter" the statutory decisions taken by them or their staff. Similar to the oversight provided by senior public officials when these functions resided within the public service, the CEO's role is to monitor delivery of LTSA services to identify trends or issues which might suggest that the systems are not operating in accordance with legislative requirements and historic practices, and would take steps to address any irregularities or issues. The CEO conducts regular inquiries to ensure customer satisfaction with LTSA services, oversees LTSA's response to inquiries and service complaints, and keeps informed about the frequency and outcomes of any formal reviews of statutory decisions. To this end, the CEO seeks and receives regular reports from Stakeholder Advisory Committee members and the regulated professional bodies with a statutory role in delivering the land title and survey systems. The CEO also monitors any inquiries directed through the Province about continued confidence in certainty of title. Where issues arise, the CEO reports these to the Board and informs them of steps taken to resolve such matters.

### 3.2 Regulation of Intermediaries

Statutory decision-makers in the LTSA liaise closely with a number of self-governing professional bodies that have direct interests in BC's land title and survey systems.

The Director of Land Titles has approved the Law Society of British Columbia as a certification authority for the purposes of authenticating electronic signatures of qualified lawyers, land surveyors and notaries public on land title forms. Until 2013, subscribers were limited to lawyers, notaries and land surveyors. In 2012 and 2013, to increase the eligibility of other authorized parties to e-file land title applications (e.g., authorized federal and provincial government statutory officers, local government officials and certain BC Commissioners), the Director has also worked with various organizations to establish and administer compliance with the Authorized Subscriber Registry (ASR). The ASR is a system that supports expanded use of the electronic signatures for the certification of land title forms to eligible employees at entities having a specific statutory authority to submit certain land title applications.

<sup>11</sup> *Hlina & Burke v. BC (Registrar of Land Titles)* [2007-appeal under Act s. 134 of plan cancellation decision]; *Smith v. Graham* [2009-appeal under Act s. 309 of refusal to register alter ego trust-related dealings]; *Big White Mountain Mart Ltd. v. British Columbia (MFLNRO)* [2012-appeal under Act s. 309 of refusal to exercise discretion to register under Act s. 97(3)]

The Surveyor General oversees BC's land survey system and approves cadastral survey standards for defining property boundaries. Professional land surveyors are commissioned under the provincial *Land Surveyors Act* and are under a professional obligation to make determinations in accordance with BC's survey requirements in the public interest. The Surveyor General is a Board member on the Association of British Columbia Land Surveyors, and works on an ongoing basis with the Association to ensure appropriate survey rules and professional land surveyor qualifications. The Surveyor General approves BC's General Survey Instruction Rules which are maintained by the Association. The survey rules apply to all legal surveys in BC, on both Crown land and private land.

### 3.3 Practice Standards

Both the Director of Land Titles and the Surveyor General define practice standards and provide advice to the LTSA's primary customers - i.e., lawyers, notaries public, land surveyors, ASR members, and real estate professionals. Standards and advice from the Director of Land Titles is provided in the form of practice manuals, guides, bulletins, and practice notes. These are continually being reviewed and updated to reflect changing regulatory requirements and new electronic systems for submitting land title registration applications. The Director of Land Titles approved the Continuing Legal Education Society for the production and ongoing maintenance of the Land Title Practice Manual and the Land Title Electronic Forms Guidebook, which are used extensively by land titles practitioners as key reference sources.

The Surveyor General provides circular letters and policy and practice standards for land survey professionals, to clarify evolving standards and practices.

## 4.0 LTSA AS STEWARD OF BC'S LAND TITLE AND SURVEY SYSTEMS

In its role as steward of BC's land title and survey systems, the LTSA seeks to protect and preserve the integrity of regulatory processes, systems, records and assets.

In the period 2005 to 2010, LTSA stewardship activities focused on establishing the LTSA as a new organization and developing the governance/accountability structures and policies for the organization. In the 2010 to 2013 period, stewardship centred on business transformation and automated systems redevelopment to improve operational efficiency and customer service. Since 2013, and moving forward, stewardship efforts will continue to stress technological innovation (e.g., Search and Filing enhancements, ParcelMap BC) to further enhance efficiency and customer service.

### 4.1 Transparent and Accountable Business Management

The LTSA ensures that Board governance, Board operations and business planning and reporting proceed according to requirements of the *LTSA Act* and best corporate practices. This includes:

*Strategic Plan* – The LTSA's Strategic Plan identifies the LTSA's strategic priorities, which are reviewed annually, with opportunity for the Stakeholder Advisory Committee to provide input. The LTSA's Strategic Plan is developed by the Board and Executive for a rolling three-year period. Key strategies and performance expectations are summarized and made publicly available in an [overview brochure](#). The Strategic Plan identifies the following four corporate objectives for the LTSA:

1. In collaboration with the Province, maintain confidence in the integrity of the land title and survey systems of British Columbia.
2. Improve and deliver professional, consistent and responsive services to meet customer needs.
3. Ensure the optimum structure, people and tools for effective operation of the LTSA.
4. Manage our business in a sustainable and cost efficient manner that directly benefits our customers.

*Business Plan* – Each year, a three-year, rolling Business Plan is released publicly on the LTSA website on or before March 31 each year. The Business Plan identifies the priorities the LTSA will undertake to implement the Strategic Plan and identifies the LTSA's specific performance targets. The plan is discussed with the Stakeholder Advisory Committee prior to Board review.

*Annual Report* – The LTSA Annual Report is published at least ten days before the date of the LTSA Annual General Meeting (AGM), as required by the *Land Title and Survey Authority Act*. It is made publicly available on the LTSA website by June 30 of each year. The Annual Report provides information on LTSA performance and achievements, summarizes Board and Board Committee meetings, identifies Board bylaw changes (including any changes to fees), and identifies Board member changes and any changes to the Operating Agreement. An accompanying financial report includes audited financial statements.

*Quarterly Consolidated Financial Statements* – On a quarterly basis, the LTSA publishes, on its website, Management's Discussion and Analysis of Financial Condition and Results of Operations and unaudited, condensed consolidated interim financial statements. Publication of these statements is a part of the LTSA's commitment to public accountability and transparency.

*Annual General Meeting* – As required by the *LTSA Act*, a public AGM must be held each year within six months of fiscal year end, with tabling of the LTSA's annual audited financial statements. The AGM provides an opportunity for interested individuals to learn more about the LTSA and ask questions.

*Annual Board Renewal* – In October of each year, the annual Board Director renewal process is undertaken. This is a statutory requirement set out in the *LTSA Act* and involves the stakeholder entities named in the *Act* making nominations for Board appointment.

*Annual Fee Review* – An annual fee review is undertaken in conformance with two regulated regimes. The Operating Agreement requires the LTSA to consider a fee increase within the application of a defined Consumer Price Index threshold. The second is to consider the overall financial position of the LTSA within the context of its not-for-profit tax status, which is regulated by the Canada Revenue Agency.

*Annual Governance Review for Best Practices* – A review of the LTSA governance framework is conducted in February each year to ensure best Board practices. The Board maintains a governance manual to establish guidelines for Board of Director operations.

*Code of Business Conduct and Ethics* – All LTSA personnel, including employees and Board members, are required to abide by the LTSA Code of Business Conduct and Ethics. All new employees participate in a workshop to review requirements and expectations respecting ethical conduct. Board Directors, Officers and any management staff with spending authority are required to participate in an annual conflict of interest disclosure process.

*Annual Board and Director Evaluation and Compensation Reviews* – The Board undertakes a formal annual review of Board effectiveness and Board Director performance to ensure Board members are effectively discharging their responsibilities, and that the Board as a whole functions effectively. The Board conducts an annual review of Director compensation and reports publicly on Director compensation in the Annual Report.

*Annual Executive Performance Evaluation* – Each year, the executive team is formally reviewed to determine their performance has met pre-determined performance targets. The results of the review are presented to the Board. **The CEO's annual performance review** is conducted with the Board of Directors.

*Complaints Processes* – The LTSA maintains a public complaints policy and procedure, established in bylaw. Since its inception in 2005, the LTSA has reviewed 40 service complaints under the policy. Most concerns arise from the legal complexity of land title and survey matters or transactions, as opposed to customer service complaints. To date, all service complaint issues have been resolved satisfactorily and none are outstanding. Refer to section 4.8 for more information.

*Transparency and Openness* – An array of LTSA business planning and governance documents are maintained and publicly available, including: the LTSA strategic direction document, rolling three-year Business Plans, Annual Reports, corporate policies, Board bylaws, a record of Board deliberations, Board governance manual, and annual audited financial statements and quarterly unaudited interim financial results. The LTSA also reports on Board compensation and **executive salaries for the LTSA's** five top earners.

In the 2010/11 fiscal year, the LTSA became subject to the provincial *Freedom of Information and Protection of Privacy Act*.

The LTSA maintains a comprehensive website, redesigned in 2011, where customers and the general public may view LTSA publications and obtain information about LTSA services. Also available online are news releases and regular newsletter publications. Users may subscribe to the e-newsletters or LTSA social media sites to stay abreast of LTSA activities.

## 4.2 Collaboration with the Province

Each year, a number of deliberate information-sharing and coordinating meetings are held between senior LTSA officials and those from the ministry assigned responsibility for provincial land title and survey legislation<sup>12</sup>. Discussion topics range from formal matters (such as proposed legislative amendments, program implementation in response to recent case law or statute changes) to general information sharing. These communications **support the LTSA's** stewardship and strategist roles, ensure that LTSA actions correspond with **government's priorities**, the Province is kept abreast of **LTSA initiatives**, and the LTSA is informed about Provincial initiatives relevant to the LTSA's operating mandate.

Meetings are held as part of the regular annual business planning and reporting cycle:

- Twice-yearly (at least) meetings are held between the LTSA Board Chair and the Minister;
- LTSA-Ministry meetings are held in advance of each LTSA Stakeholder Advisory Committee meeting<sup>13</sup>; and,
- Commencing November 2011, a formal LTSA/Province Joint Strategy Forum was established to support ongoing collaboration between the Ministry and LTSA on matters relating to their respective roles and obligations regarding land title and survey systems. The Forum meets regularly, is co-chaired by the Province and the LTSA, and includes those provincial officials with an interest in current matters under consideration.

At the day-to-day working level, LTSA personnel are in regular communication with Ministry personnel, as well as those from the numerous other provincial agencies that do business with the LTSA.

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<sup>12</sup> Currently the Ministry of Forests, Lands and Natural Resource Operations.

<sup>13</sup> A Ministry representative also sits on the Stakeholder Advisory Committee.

### 4.3 Customer and Stakeholder Liaison and Satisfaction

L TSA efforts to liaise with stakeholders and monitor customer satisfaction include the following:

#### *Stakeholder Advisory Committee*

The L TSA maintains a Stakeholder Advisory Committee, established by Board bylaw and chaired by the L TSA's CEO, to ensure effective communications with stakeholders and customers. Members are appointed by the organizations that support the L TSA in the performance of its statutory functions, in consultation with the L TSA's CEO. Included are the entities that make nominations for Board of Director appointments. Committee meetings are held three times per year to:

- Provide the CEO with views on the L TSA's strategic and business plans, operating and capital plans, communications plan, and risk management; and,
- Review quarterly reports on L TSA operations and performance, records conservation projects, business modernization and IT improvements, customer service enhancements and L TSA regulatory and policy initiatives.

Each Stakeholder Advisory Committee member is aligned with an L TSA manager to foster greater communication and support ease of access to the L TSA Executive team.

The Stakeholder Advisory Committee meets annually with the full Board of Directors and is invited to attend the L TSA's AGM.

#### *Customer Consultation and Communication*

The L TSA places a high priority on customer consultation to ensure that business modernization and other operational initiatives correspond with system-users' needs. Aside from the Stakeholder Advisory Committee, which provides advice on regulatory/governance issues as well as operational matters, four other groups provide regular advice to the L TSA on operational business change initiatives:

- The Business Transformation Advisory Committee (formerly known as the Electronic Filing System Committee), in operation since the late 1990s;
- The Electronic Services Advisory Group, initiated in 2009;
- The Land Surveyors Advisory Task Force, also established in 2009; and,
- The ParcelMap BC Advisory Committee, established in 2011.

These volunteer groups have provided input and continue to support the various phases of Electronic Search and Filing services design, development and release, myL TSA design and development, ParcelMap BC, as well as other aspects of L TSA business modernization.

Consultation also occurs with a range of other groups to support the development of specific L TSA initiatives such as Required E-filing, the Authorized Subscriber Register, and ParcelMap BC. Consultation on project-specific initiatives has involved: local governments, regulated utilities, industry associations, financial institutions, real estate agents, registry agents, and provincial ministries. Consultation methods have included face-to-face meetings or presentations, online surveys, focus groups, website usability and user testing, customer transition/training sessions, and webinars.

As well, a large amount of ad-hoc, periodic consultation and communication occurs with professional bodies, associations, individual members of the L TSA's standing advisory committees, ministries, land title and survey organizations in other jurisdictions, and other groups with an interest in L TSA business.

The L TSA's comprehensive customer [help website](#), three e-newsletters (Land Title Matters, System Update, and L TSA Update) and Twitter feed are also important vehicles for communicating with customers. The corporate website is targeted at stakeholders, customers and the general public.

In 2013, the L TSA hosted an international land title conference to share information and best practices on the operation of land title and survey systems. The conference focussed on innovations in land title systems to address social, economic and environmental challenges.

#### *Key Business Modernization and Customer Service Improvements*

All of the initiatives undertaken by the L TSA are aimed at improving operating efficiencies, reducing costs for both the L TSA and customers, enhancing customer access to L TSA services and information, and ensuring the integrity and security of land title and survey systems and data. Key activities the L TSA has initiated and/or completed since its establishment in 2005 to modernize business and improve customer service include:

##### Primarily Internal

- Decommissioned mainframe systems;
- Adopted new IT security policies and practices;
- Replaced the former land title register system with a new system known as ASTRA, incorporating modern hardware and software;
- Undertook significant business process re-engineering, enabling automated and assisted examination of routine land title applications; and,
- Established LandSure Systems Ltd. as a subsidiary to provide systems, project management, and communications and consultation expertise to the L TSA.

#### Primarily Customer-Facing

- Modernized conveyancing practice in BC through customer support and regulatory change, increasing the use of electronic filing to the land title office from 17 percent to 93 percent:
  - Expanded and enhanced the capacity for electronic filing of land title documents and survey plans;
  - Introduced the Authorized Subscriber Register;
  - Launched an Electronic Meets service for land title applications;
  - Launched Title Direct, a web service for third parties to electronically search and file land title applications;
- Significantly improved the capability for electronic land title, document and plan search and retrieval based on customer input:
  - Improved Search Services;
  - Introduced a Scan on Demand plan scanning service;
  - Issued electronic title, charge and plan updates to taxation authorities;
- Developed ParcelMap BC (in progress);
- Launched the myLTSA portal and accompanying technical support team;
- Established the Customer Service Centre in 2010 providing centralized customer support;
- Redesigned the LTSA corporate website and customer help websites; and,
- Conserved historical land title and survey records and enhanced access to historical records.

#### *Customer Satisfaction*

LTSA customers primarily comprise legal professionals, land surveyors, real estate professionals, notaries, lenders, and all levels of government, are critically important to LTSA business operations. Measuring satisfaction with LTSA services among these groups is a key priority to assist the LTSA to continuously improve services.

To address this priority, the LTSA conducts periodic stakeholder surveys. Benchmarked surveys were conducted in 2009, 2011 and 2014. Survey results show that stakeholders have a very high level of overall trust in the LTSA. In 2011, the overall trust level was 92 percent and in 2014 the level was maintained.

In terms of customer satisfaction with operational services provided by the LTD and SGD, past satisfaction levels have consistently exceeded divisional targets established by the Board. The 2014 satisfaction level target for both the LTD and the SGD was 88 percent. The actual 2014 customer satisfaction level for the LTD was 82 percent, and a level of 96 percent was recorded for the SGD. Given the significant business process re-engineering that has recently been undertaken in the LTD, the slight 2014 decline in the customer satisfaction rating for that Division was not unanticipated.

## 4.4 Land Title and Survey Records Management

The LTSA maintains its records in accordance with the legislation governing surveys and land title registration and all other applicable statutes. As a result, the LTSA has accomplished the following initiatives:

- Established a records management policy framework **for records retention and disposition, as well as access to the corporation's** administrative and operational records collections;
- Maintained a database containing an inventory of LTSA historic records representing a combination of more than 4,500 bound volumes and documents and plans series;
- Relocated Victoria-based land title and survey records into a modern, secure records vault, and integrated the Prince George and Prince Rupert land title district records into the vault as part of a plan to optimize management and security of the historic records collections;
- Established a single Location Control System (LCS) that allows inventory tracking (barcode scanning) of the bound volumes and documents in all LTD vaults and the SGD vault. The LCS provides a more detailed level of control of, and accessibility to, LTSA records than was possible through the LTSA historic records inventory;
- Renovated its Kamloops and New Westminster land title offices and, in the Kamloops office, introduced a new archives vault to provide a state-of-the-art preservation environment for the historic records collection; and,
- Implemented an ongoing historic records conservation program, in consultation with the Stakeholder Advisory Committee, with conservation work space established in both the Victoria and New Westminster offices. Based upon the initial inventory that was established, priorities have been established for conservation of fragile records. Bound volumes and documents in all locations have been cleaned and rehoused in archival storage containers. Leather-bound ledger books, including some published volumes (e.g., BC Gazettes and Statutes), have been cleaned and the leather treated. Over the course of the past several years, over 4,600 Provincial Field books and 1,350 Dominion Field books have been indexed and scanned. Several thousand of the earliest land title and survey plans have been cleaned, conserved, and encapsulated for flat storage in archival folders. Digitization of conserved plans and other key historic records has begun, with the goal of making the digital images available for research purposes electronically, in order to avoid continued use of the originals. Historic records conservation projects will continue, as funds are available, according to established conservation practices.

## 4.5 Financial Management

### *Fee Revenue*

Fee revenue is earned from the rendering of land title and survey examination services and the sale of information products. Examination services ensure that applications and plans are submitted in accordance with the rules and regulations as defined by various provincial statutes and practice standards established by the Director of Land Titles. Information products include title searches, document and plan images, title certificates and document copies.

Fees are regulated by the *Operating Agreement* and any increases are limited to annual increases in the Consumer Price Index (CPI). Any increases beyond CPI require an amendment to the *Operating Agreement* by the Province or the LTSA or a determination on the matter by a jointly-appointed Fee Commissioner. Additionally, exemptions from payment of customer fees for land title services requires consent of both the Province and the LTSA, and fee revenue from these services is split between the Province and the LTSA according to the terms of the Operating Agreement.

### *Operating Expenses*

Operating expenses are comprised of salaries and benefits, information services, office and business, building occupancy, professional fees, and amortization. While the categories have remained consistent through the ten years of the LTSA's existence, the mix has changed significantly. Large costs were incurred to modernize LTSA information technology systems with the principal economic gain being the automation of over 40 percent of examination activity. As a result, amortization charges for these capital projects have increased, offset by overall lower salaries and benefits and building occupancy costs for core business operations.

While the LTSA's fee revenue fluctuates with the various real estate cycles, operating expenses do not vary in line with transaction activity, but are instead fixed over the short to medium term. In addition, significant costs have been incurred periodically to define major investment projects in advance of their capitalization phase. As a result, the operating margin has shifted significantly between a high of 31 percent in 2008 and a low of 3 percent in 2009.

### *Interest Income and Expense*

Interest income is earned on cash, short-term investments, customer deposits, and balances held overnight on behalf of the Province of BC and other parties. A highly conservative investment policy has been adopted to ensure the risk of loss on any of these balances is minimal. As a result, interest income as a percentage of funds invested is low, reflecting both the risk of the investments and the current interest rate environment.

Interest expense has been very low as debt has not been incurred beyond the borrowing in 2005 and 2006 to launch the LTSA. These loans were fully repaid in 2011.

### *Income Taxes*

The LTSA adheres to the *LTSA Act and Operating Agreement* requirement to operate as a "Tax Exempt Corporation" as described in the *Income Tax Act (Canada)*. Accordingly, the net income earned by the LTSA legal entity is exempt from federal and provincial income taxes. This exemption has been confirmed by the Canada Revenue Agency both in a ruling and in a subsequent audit. To maintain this income tax exempt status, the net income earned must be reinvested into the LTSA's businesses, earmarked for future reinvestment, or held as a reasonable reserve for future contingencies.

Activities carried out by the LTSA which do not meet the criteria for tax exempt status are carried out through its subsidiary, LandSure Systems Ltd. Proceeds from such activities are invested by the LTSA in conformance with its statutory purpose.

### *Financial Management Strategy*

When the LTSA was created, it was assumed that it would earn net income, and this would be the primary source of funding for reinvestment in the business. A five-year financial forecast was prepared for the Province by Grant Thornton LLP, Chartered Accountants, in January 2005 to support these assumptions (see Table 5). It anticipated that between January 20, 2005 and March 31, 2010, the newly created LTSA would earn an operating margin of about 6 percent, or \$5.7 million, using the cost profile inherited from the Province. This would allow capital reinvestment of \$13.6 million during the period when combined with the forecast \$8.0 million to be borrowed at start up to fund the purchase of assets from the Province.

The forecast margin of 6 percent, while sufficient to provide about \$1.0 million per year in capital reinvestment, would only support and maintain the 2005 legacy technology. To develop and improve the land title and survey systems, it was necessary to quickly move away from the inherited cost model to generate higher margins from operations.

Table 5

LTSA Financial Projections, January 14, 2005 Grant Thornton LLP, Chartered Accountants (in millions)							
	2005	2006	2007	2008	2009	2010	Total
<b>Operating income</b>	\$ (83)	\$ 2,611	\$ 1,097	\$ 341	\$ 85	\$ 1,605	\$ 5,655
Interest (income)/expense	66	335	272	217	158	98	1,146
<b>Income and comprehensive income before income taxes</b>	(149)	2,276	824	125	(73)	1,507	4,510
Income tax expense (recoverable)	-	-	-	-	-	-	-
<b>Net income and comprehensive income</b>	\$ (149)	\$ 2,276	\$ 824	\$ 125	\$ (73)	\$ 1,507	\$ 4,510
<b>Operating margin</b>	-4%	11%	4%	1%	0%	8%	6%

During the period January 20, 2005 to March 31, 2014, the LTSA achieved an operating margin of 18 percent (see Table 6). This was accomplished despite land title applications, forecast to average 736,000 annually in the 2005 financial model, declining steadily from a peak in 2007/2008 to just 670,000 in 2013/2014. The improved margin was due to investment in more efficient business processes, a move to lower-cost service providers, and an ongoing focus on deriving the lowest pricing possible from vendors.

Table 6

LTSA Consolidated Income Statements (Audited) (in millions)											
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
<b>Revenue</b>	\$ 4,171	\$ 26,404	\$ 27,495	\$ 25,037	\$ 25,231	\$ 28,242	\$ 27,937	\$ 26,660	\$ 24,425	\$ 25,404	\$ 245,000
<b>Expenses</b>											
Salaries and benefits	1,613	9,743	9,771	10,332	11,794	12,369	12,244	12,353	11,999	11,092	103,310
Information services	646	2,919	2,964	2,299	2,046	1,660	1,742	1,779	1,593	1,797	19,445
Office and business expenses	810	1,639	1,904	2,152	2,189	2,093	2,114	1,599	1,477	2,172	18,149
Building Occupancy	351	1,746	1,784	1,820	2,115	2,154	3,049	3,547	3,605	3,495	23,666
Professional fees	219	730	833	1,038	3,174	1,324	2,909	1,935	2,794	900	15,856
Amortization	321	1,713	2,130	2,515	3,045	1,879	1,730	1,498	2,102	3,270	20,203
<b>Total expenses</b>	3,961	18,490	19,386	20,156	24,363	21,479	23,788	22,711	23,570	22,726	206,630
<b>Operating income</b>	212	7,914	8,109	8,881	868	6,763	4,149	3,949	855	2,678	44,378
Interest (income)/expense	49	110	(659)	(878)	(355)	99	(132)	(277)	(287)	(311)	(2,641)
<b>Income and comprehensive income before income taxes</b>	163	7,804	8,768	9,759	1,223	6,664	4,281	4,226	1,142	2,989	47,019
Income tax expense (recoverable)	-	-	-	-	3	6	5	8	(15)	(21)	(14)
<b>Net income and comprehensive income</b>	\$ 163	\$ 7,804	\$ 8,768	\$ 9,759	\$ 1,220	\$ 6,658	\$ 4,276	\$ 4,218	\$ 1,157	\$ 3,010	\$ 47,033
<b>Operating margin</b>	5%	30%	29%	31%	7%	24%	15%	15%	4%	11%	18%

*Financial Reinvestment Strategy*

The 18 percent operating margin generated \$44.4 million in operating income in the 2005 to 2014 period. Of this, \$39.4 million was reinvested in capital improvements to the LTSA’s systems and operations. This represents a capital reinvestment ratio of 89 percent (see Table 7), far higher than would be anticipated in a private sector environment. The high level of reinvestment is possible in the independent authority model as the LTSA can invest beyond the point of profit maximization to the level where the return on investment (ROI) approaches zero. A private sector service provider would, of course, be maximizing ROI with a resulting lower level of capital reinvestment.

Table 7

LTSA Capital Reinvestments (Audited)											
(in millions)											
	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Operating income	\$ 212	\$ 7,914	\$ 8,109	\$ 8,881	\$ 868	\$ 6,763	\$ 4,149	\$ 3,949	\$ 855	\$ 2,678	\$ 44,378
Capital investment	\$ 8,043	\$ 1,939	\$ 1,200	\$ 2,063	\$ 945	\$ 1,107	\$ 7,723	\$ 4,267	\$ 4,787	\$ 7,374	\$ 39,447
Capital investment ratio	3788%	24%	15%	23%	109%	16%	186%	108%	560%	275%	89%

During the 2005 to 2010 period, \$15.2 million was reinvested in capital improvements, a reinvestment ratio of 47 percent which was lower than the long-term average reflecting the need to repay \$7.5 million of debt incurred at start up and to build up cash from operating activities for reinvestment. Nevertheless, in this period, significant investments were made for electronic filing, electronic survey plans, migration away from obsolete mainframe and optical storage technology, and the development of human resources and financial systems. Much of this activity was to clear a backlog of technology investment which had been deferred when the land title and survey operations were being run by the Province.

The 2010 to 2014 period has seen a strong acceleration in capital reinvestment to \$24.2 million, a reinvestment ratio of 208 percent, as resources were available to develop the new ASTRA land title registry system and myLTSA.

Reinvestment will continue at this higher level with the start of construction of the ParcelMap BC system in July 2014 incurring a planned expenditure in excess of \$20.0 million over 33 months.

#### Payment Obligations to the Province of British Columbia

The requirement to remit the Province's share of fees and Property Transfer Tax on a daily basis was defined in the *Cash Management Agreement* from 2005 to 2014. This agreement was subsequently replaced in 2014 by the *Payment Management Agreement*. All requirements under both these agreements have been met each day since the LTSA's inception.

As of April 1, 2014, the Property Transfer Tax is no longer collected by the LTSA.

#### Assurance Fund

A central feature of BC's system of land title registration is compensation by the Assurance Fund to the registered owners of interests in land in the event of loss due to registration error. When compared to the total volume of registrations processed these events are very rare. From start up in 2005 to March 31, 2014, the LTSA paid out just over \$1.0 million in settlement of 10 claims.

#### The Next Five Years

Operating margins for the next three fiscal years, 2015 to 2017, are expected to remain close to the long-term historical average of 18 percent. The launch of ParcelMap BC into production in 2017 will, however, add significant costs that were previously capitalized without adding any additional revenue. As a result, margins will decline to around 8 percent and remain there for a number of years as the capital cost of ParcelMap BC is amortized (see Table 8).

Table 8

Consolidated Income Statements (Forecast)					
(in millions)					
	2015	2016	2017	2018	2019
Revenue	\$ 32,000	\$ 34,510	\$ 34,855	\$ 35,200	\$ 35,550
<b>Expenses</b>					
Salaries and benefits	12,710	13,150	13,460	14,810	15,140
Information services	2,200	2,350	2,380	2,840	2,870
Office and business expenses	1,770	1,940	1,980	2,050	2,090
Building Occupancy	3,400	3,450	3,480	3,520	3,550
Professional fees	1,200	1,040	1,050	1,060	1,070
Amortization	4,560	6,150	6,250	8,000	8,000
Total expenses	25,840	28,080	28,600	32,280	32,720
Operating income	6,160	6,430	6,255	2,920	2,830
Interest (income)/expense	(295)	(380)	(350)	(300)	(300)
Income and comprehensive income before income taxes	6,455	6,810	6,605	3,220	3,130
Income tax expense (recoverable)	430	500	500	500	500
Net income and comprehensive income	\$ 6,025	\$ 6,310	\$ 6,105	\$ 2,720	\$ 2,630
Operating margin	19%	19%	18%	8%	8%

The capital investment ratio will be very high over the next three years at almost twice the long-term average of 89 percent as the ParcelMap BC project is completed. After 2017, capital reinvestment will need to slow significantly due to reduced operating margins and the need to rebuild financial reserves.

## 4.6 Human Resources

As business modernization initiatives have unfolded at the LTSA, it has been necessary for the LTSA to place significant attention on human resources planning, training and development. One risk that was mitigated was retirement risk: when the LTSA was established in 2005, it had a total of 149 employees, half of which were eligible to retire within five years. As of December 31, 2014, it had 147 employees, with less than a quarter eligible to retire within the next five years. Human resources renewal over the past decade has allowed the LTSA to address the retirement risk issue and assemble a work force with greater diversity of experience and skills.

As the LTSA has transformed its business systems and processes, the profile of its employee base has evolved lock-step, with a focus on hiring employees possessing highly technical and specialized skills.

Some notable human resources related initiatives/achievements have included:

- A decrease in average age from 59 to 45, reducing the percentage of employees eligible to retire in the next five years from 50 percent to 22 percent;
- The establishment of an Examiner of Title training program. To-date, six flights of trainees have successfully graduated from this rigorous two-year program and another flight is underway;
- Active employee involvement in organizational change through establishment of internal cross-functional project teams - for example, the LTSA's E-Business Team, the Business Improvement Committee and the Regulatory Planning Group;
- Creation of knowledge bases, where important practice and institutional knowledge is maintained and precedents are retained, better enabling employees to share knowledge across the organization;
- Establishment of employee performance management, achievement, and recognition programs;
- Development of human resource information systems which enable the capture of employee data, time records, training, and performance information;
- Adoption of staff succession plans and the corresponding development of leadership capacity to create succession candidates; and,
- Setting the stage for a culture of service based on the LTSA as a responsive, customer-centric organization.

An employee engagement survey conducted in 2013 shows a slight increase in employee engagement levels since 2011 and a more significant increase over 2009 levels. This recent increase is encouraging since industry benchmarking indicates that in times of change - especially significant internal change - most organizations see a significant decrease in employee engagement levels. The LTSA experienced substantial internal change in the 2011 to 2014 period, yet managed to maintain employee engagement. The LTSA will continue to develop and implement plans to improve employee engagement.

## 4.7 Access to Information and Privacy Protection

The LTSA is subject to the provincial [Freedom of Information and Protection of Privacy Act](#) (*FOIPP Act*). The *FOIPP Act* provides access and establishes privacy rights to information that is collected or controlled by public bodies in BC. Under the *FOIPP Act*, the head of a public body is responsible for ensuring compliance with the requirements of the *FOIPP Act*. For the LTSA, the CEO is the responsible official who must ensure that LTSA records are appropriately managed and accessible to meet the requirements of the Act.

Land title and survey records managed by the LTSA are routinely publicly available from the land title offices and Surveyor General records. The *FOIPP Act* supplements these information access processes for records which are not already publicly available through standard channels. Requests can be made through the LTSA's Information and Privacy Officer.

## 4.8 Summary of Service Complaints and Related Administrative Reviews

As required under the *Land Title and Survey Authority Act*, the LTSA maintains a public complaints policy and procedure, established in bylaw. This procedure is in place to ensure that there is a transparent and effective process for managing complaints from the public about the LTSA's service, and to facilitate the continued provision of excellent customer service. All LTSA personnel have received training on ethical business conduct and responding to customer complaints and inquiries.

Over the last 10 years, the LTSA has processed tens of millions of transactions, yet has received and responded to a few dozen complaints about its service. On average, the LTSA has directly received approximately four service complaints per year since 2005. Of the many inquiries that LTSA receives respecting LTSA matters, 40 rose above the 'inquiry' level and were responded to in accordance with the public complaints policy and procedure (see Table 9). The LTSA received 15 of those complaints during 2006, and all were related to concern about the transition of the land title and survey systems from the Province to the LTSA. Those complaints were responded to and, since that time, there has been a significant reduction in the number of complaints received each year.

Additionally, another 17 inquiries about LTSA operations were directed to the Office of the Ombudsperson. The LTSA became subject to oversight of the office of the provincial Ombudsperson in March 2006. To date, the Ombudsperson's Office has followed up with LTSA for more information on the 17 inquiries they received. No further action other than additional explanatory communications to the applicant in some situations was required. In all situations, the matters were found to have been addressed to the satisfaction of the Office of the Ombudsperson, or dismissed.

As well, two complaints were directed to the Office of the Information and Privacy Commissioner for BC (OIPC). Complaints about the LTSA's service with respect to its obligations under the *Freedom of Information and Protection of Privacy Act (FOI/PP Act)* may be directed to the OIPC. One complaint respecting timeliness filed in November 2014 was found to be without merit and dismissed. Currently, only one complaint remains outstanding due to a backlog of investigations at the OIPC. The LTSA is waiting for the investigation to begin into another complaint, filed in August 2014, regarding the perceived lack of fulsome of LTSA's response to an access request respecting operational land title register records.

Prior to being subject to the *FOI/PP Act*, the LTSA was the subject of one substantiated complaint under the *Personal Information Protection Act (PIPA)* in 2006. This matter arose in respect of personnel records created by a former employee's supervisor prior to establishment of the LTSA. In response to the Order, and as part of establishing the records and privacy policy of the newly established LTSA, the LTSA formalized an employee personal information protection policy and implemented records management procedures to ensure ongoing compliance with privacy legislation.

All inquiries and complaints about service proceed through the formal established procedure. The LTSA responds to all inquiries and complaints in a timely way and complies fully with authorized inquiries and investigations. As part of routine governance practices, quarterly reports on the matter of service complaints and related administrative are reviewed by LTSA management, and received by the LTSA Board.

The LTSA's website provides information on the legal requirements which establish and protect legal real property rights and interests in BC. Additionally, it includes information for the public with respect to common transactions, including advice that even routine transactions have significant legal implications and that professional advice is suggested. LTSA's website explains that:

- Staff duties are to independently maintain the accuracy and completeness of the land title register and maintain the cadastral survey framework for the province; and,
- Staff may not provide legal advice and are not authorized to:
  - Adjudicate disputes that may arise over registered interests in land;
  - Support a request that is contrary to, or unsupported by, legislation; or,
  - Make decisions between competing points of view with respect to applications or real property holdings.

The LTSA takes customer service very seriously, continually updates its website, and works with professional associations on practice guidance to professionals, and responds as appropriate to complaints and related administrative reviews.

Table 9. Service Complaints

Calendar Year	Complaints to the LTSA	Complaints through the Office of the Ombudsperson	Complaints through the Office of the Information and Privacy Commissioner
2014	4	2	2
2013	2	1	0
2012	7	1	0
2011	2	4	0
2010	2	0	0
2009	3	1	n/a*
2008	4	4	n/a*
2007	1	1	n/a*
2006	15	3	n/a*
2005	1	n/a*	n/a*
<b>Totals</b>	<b>40</b>	<b>17</b>	<b>2</b>

\* The LTSA public complaints process was established by bylaw August 19, 2005. The LTSA became subject to the *Ombudsperson Act* in 2006 and the *Freedom of Information and Protection of Privacy Act* in 2010.

## 5.0 LTSA ROLE IN DEVELOPING *STRATEGIC DIRECTION FOR BC'S LAND TITLE AND SURVEY SYSTEMS*

Although the Province has ultimate responsibility for the legislative environment for BC's land title and survey systems, the LTSA has a substantial role in supporting the Province in this respect. Under the Operating Agreement, the LTSA and the Province collaborate using the mechanisms described in section 4.2, and those mechanisms for collaboration support the LTSA's stewardship and strategist roles with respect to BC's land title and survey systems.

There are several dozen pieces of legislation which comprise the statutory framework for BC's land title and land survey systems, and dozens of statutes with linkages to the land title and survey systems. The LTSA supports the Province to maintain the statutory framework in the public interest, and aligns delivery of the systems to achieve the mutual interests of the Province and the LTSA.

### 5.1 Contributing to Land Title and Survey Legislation and Strategic Policy

The Province's land title and survey regulatory framework consists of a series of separate but related enactments governing LTSA professionals. These enactments are an important foundation of the Province's economic base, and require ongoing attention for continued effectiveness. Although there are approximately 70 enactments in the overall framework, the main ones are the *Land Title Act* and the *Strata Property Act* which deal primarily with titled land, and the *Land Act* which deals with Crown land. These and other statutes regulate the practice of lawyers, notaries public, land surveyors and other customers.

Together, these enactments, which are prescriptive and complex in nature, provide a framework for establishing legal title to land and subordinate interests in land, conducting and recording surveys of property boundaries and other interests, implementing commercial and consumer protections, implementing First Nations treaties, and supporting property taxation.

The LTSA is aware of over 490 types of legal interests which may be registered on title. Additionally, evolving case law, new legislation and operational practice may establish more types of legal interests.

The LTSA has a significant interest in the underlying land title and survey legislative framework and liaises closely with the Province respecting the framework. In particular:

- At the Province's request, the LTSA participates in the Province's policy development and legislative program. LTSA input is provided to ensure that potential operational impacts are identified and addressed, and also that any policy impacts of proposed changes are made known and fully considered by public decision-makers; and,
- In addition to providing comment on legislative and policy issues directed to it from the Province and stakeholders, the LTSA also initiates proposals for government's consideration to address operational and business issues.

Since the LTSA was created, there has been significant demand from the Province for the LTSA's involvement in legislative and policy initiatives relating to the land title and survey regulatory framework.

Since 2005, notable LTSA involvement in land title and survey regulatory matters has included:

- The review and comment on approximately 40 separate legislative initiatives under consideration by the Province. Many of those initiatives have been complex and required ongoing commitment of LTSA senior personnel to consider and respond to the public policy and operational impacts of new forms of title, such as those emerging through the treaty settlement process. See Appendix 6 for a list of provincial legislative initiatives that have proceeded with LTSA input; and
- Comment on legislative reviews initiated by others. For example, the LTSA accepted the report of the Legislative Task Force on Assurance Fund Reform and in 2008 provided the Province with its response. The LTSA also provided comment on a major multi-year real property review and a *Strata Property Act* review conducted by the BC Law Institute.

Other LTSA activities related to its role in assisting with the development of provincial strategy regarding BC's land title and survey systems include:

- Liaising with the Province's legal advisors respecting Assurance Fund litigation judicial reviews of statutory decisions. The Director of Land Titles provides advice, jointly with the Province's solicitor on land titles, to the Ministry of Forests, Lands and Natural Resource Operations on management of Assurance Fund claims which occurred prior to LTSA establishment. The aim is to encourage consistent delivery of the overall compensation program established under the *Land Title Act*; and,
- Collaborating with the Province on improving access to provincial cadastre survey data.

In addition, the Surveyor General:

- Sits on the Board of Directors of the Integrated Cadastral Information Society (ICIS) — a society of local governments, utility companies, the Province, First Nations and other partners. The group promotes the improvement and sharing of geospatial data for the economic and social benefit of BC;
- Participates in the collaborative development of ParcelMap BC — an initiative to create a single, consolidated electronic map of all surveyed private and Crown land parcels in BC, with links to the land title register and the Crown land registry;
- Works to address historic survey errors, with the Province reviewing and advising on practical options in the public interest;
- Assists the Province with First Nations treaty settlements and, in particular, advises on the extent of surveys needed to support treaty implementation; and,
- Provides survey advice to support FNCIDA initiatives, the First Nations Property Ownership (FNPO) Initiative, and support to other evolving title initiatives.

## Appendix 1. Land Title Improvements Over Time

	1970's "Paper" era	1980's "ALTO51" era	1990's "ALTO52" era	2000's "EFS" era	2010's "ASTRA" era
<b>Format of BC's Land Title Register</b> Registration procedure	All paper process Paper register, original paper Title docs stored in vault	Electronic Register Original paper Title docs stored in vault	Electronic Register Title docs imaged and stored and searched electronically	Electronic Register Title docs imaged and stored and searched electronically	Electronic Register Automated examination of simple transactions (40%), docs stored and searched electronically
Filing/Data Entry	Manual	Manual - key entry	Manual - key entry	Electronic Filing System BC OnLine Portal	Electronic Filing System (92%) myLTSA Portal (2014) Customer Deposit Accounts Credit card payment
Data	Paper Register and Title docs	98% of paper Title docs entered into electronic register over a 3 yr period	Imaged 5 years of Title docs (1990 - 1995), all new data imaged when submitted	Electronic (in image DB)	Electronic (in image DB)
Peak Turnaround Times	10 - 12 weeks	8 weeks	4 weeks	3-5 days (Commit to under 6 days)	2-3 days (Commit to under 6 days)
Land Title Office - Staff	~ 350 FTEs	~ 260 FTEs	~ 200 FTEs	~ 135 FTEs	~ 75 FTEs [+12 myLTSA]
Organization	Government Department	Government Department	Government Department	Statutory Corporation (2005)	Statutory Corporation - ongoing reinvestment in technology

## Appendix 2. Terms of Reference for the Stakeholder Advisory Committee

### Introduction

The Chief Executive Officer (the “CEO”) of the Land Title and Survey Authority (the “Authority”) and other Executive members communicate on a regular basis in a variety of ways with key users of the land title and survey systems. These ongoing communication efforts take the form of:

- focussed discussions about particular issues (for example, the Authority meets regularly with a representative group of users of the electronic filing system to identify and resolve user issues);
  - ongoing individual technical discussions about business transformation initiatives;
  - regular Stakeholder Advisory Committee (SAC) meetings (see below for details); and
  - regular CEO operational reports to SAC members.

The various forms of communications with stakeholders and customers support accountability of the Authority, involve others in the Authority’s business planning and reporting process, and inform the Authority about stakeholder and customer concerns and requirements.

### Overview and Membership of the SAC

The Authority’s permanent Stakeholder Advisory Committee (the “SAC”) meets regularly to provide advice to the CEO relating to the Authority’s mandate to operate the land title and survey systems in accordance with the Province’s legislative framework.

SAC membership is limited to those entities that support the LTSA in the performance of its statutory functions, as follows:

Entity	Statutory Function Related to Maintenance of the Land Title and Survey Systems				
	Self-governing professionals with statutory authority to participate in maintenance of the land title and survey systems (i.e. certification officers as defined in the <i>Land Title Act</i> )	Oversight related to LTSA’s legislated duty to manage the LTO’s historical records	Nominating entities as defined in the <i>LTSA Act</i> with a duty to participate in the board selection and appointment process	Representatives of BC’s existing and future taxation authorities	Representatives of charge holders
Association of BC Land Surveyors	X	X	X		
Association of Professional Registry Agents		X	X		
BC Assessment Authority				X	
BC Historical Federation		X			
BC Real Estate Association			X		
Canadian Bankers Association					X
Canadian Bar Association	X		X		
Central 1 Credit Union					X
First Nations Summit		X	X	X	
Law Society of BC	X		X		
Province of BC		X	X	X	
Society of Notaries Public of BC	X		X		
Union of BC Municipalities			X	X	

The permanent SAC is formed from the above stakeholder organizations and current membership is set out as Tab 25 in the LTSA Governance Manual. The composition of the SAC will be reviewed annually by the Board of Directors.

Membership to the SAC is invited by the CEO sending organizations a letter asking if it would like to participate and if so, to appoint a representative of its choosing.

### Mandate of the SAC

The SAC is established through bylaws of the Board of Directors. Its mandate is to advise the Board of Directors and the CEO on the operations of the Authority. This includes providing advice on the effectiveness of and improvements to its activities, programs, services and special projects and on any other matter as requested by the Board of Directors or CEO.

Members will be expected to have the authority to speak for their organization and to consult with them as required, or to have specific expertise.

The SAC is not a decision-making body.

### SAC Chair and Vice Chair

The CEO will chair the SAC and the committee will select a Vice Chair from among its members. Meeting times and the agenda will be determined by the Chair.

### SAC Process for Appointment

The CEO will request stakeholder organizations to appoint a representative to the committee. The CEO will present the list of members to the Board of Directors for its ratification.

For continuity, organizations will be asked to name a single individual as the committee member and substitutions will be discouraged. The organization can, however, notify the CEO when it wishes to appoint a new representative due to changes in its own internal appointments.

### SAC Compensation

The members of the SAC will receive reimbursement of expenses only.

## Appendix 3. LTSA Alignment with Provincial Taxpayer Accountability Principles

Provincial Taxpayer Accountability Principles	LTSA Alignment
<p><b>1. Cost consciousness (Efficiency)</b> Strengthen cost management capabilities and foster a culture of cost-consciousness at all levels of public sector organizations. Provide public services and programs as efficiently and effectively as possible to support sustainable public policies and programs as a lasting legacy for generations to come.</p>	<p>The LTSA is self-funded from regulated customer fees.</p> <p>Over the last ten years, the LTSA has transformed its business and service model:</p> <ul style="list-style-type: none"> <li>• Now provides for automated examination and registration with over 90 percent of land title applications now being filed electronically and over 40 percent of registrations being examined by automated examination processes.</li> <li>• \$39.4 million was made available for reinvestment in operations through: <ul style="list-style-type: none"> <li>– Operational cost reductions and reduced staff costs; and,</li> <li>– Revenues achieved as a result of high volumes of real estate transactions and dedicated fee increases.</li> </ul> </li> </ul>
<p><b>2. Accountability</b> Transparently manage responsibilities according to a set of common public sector principles in the best interest of the citizens of the province. By enhancing organizational efficiency and effectiveness in the planning, reporting and decision making, public sector organizations will ensure actions are aligned with government's strategic mandate.</p>	<p><i>The Land Title and Survey Authority Act (LTSA Act)</i> establishes a statutory corporation with specific public reporting and accountability requirements.</p> <p>The LTSA Board is selected from nominees of stakeholders and Directors are required by the <i>LTSA Act</i> to:</p> <ul style="list-style-type: none"> <li>• Act honestly and in good faith with a view to the best interests of the LTSA;</li> <li>• Exercise the care, diligence and skill that a reasonably prudent individual would exercise in comparable circumstances; and,</li> <li>• Act in accordance with the legislation, the regulations and the bylaws.</li> </ul> <p>The LTSA is required to maintain a public record of Board deliberations and annually makes public its:</p> <ul style="list-style-type: none"> <li>• Annual Report (including a report respecting the achievement of the LTSA performance objectives set out in the Operating Agreement and audited financial statements);</li> <li>• Three-year Business Plan; and,</li> <li>• Strategic Direction.</li> </ul> <p>The LTSA holds an Annual General Meeting open to the public.</p> <p>The LTSA operates as a non-profit organization for the purposes of the Canada Revenue Agency (CRA) and all revenue must be reinvested in conformance with the LTSA's purposes. CRA conducts periodic audits to confirm the LTSA's tax status.</p> <p>The Operating Agreement with the Province is an enforceable contract and establishes standards of performance, provides for regular performance reviews and establishes a requirement for ongoing collaboration between the LTSA and the Province on maintenance of the related enactments and respecting significant issues. The LTSA has established mechanisms for ensuring ongoing collaboration with the Province including:</p> <ul style="list-style-type: none"> <li>• Semi-annual meetings with the Minister and the LTSA Board Chair;</li> <li>• Regular meetings at the Deputy Minister/CEO level; and</li> <li>• Ongoing liaison respecting business intersections with the Province and advice on matters/operations of the land title and survey systems. Additionally, there is an established LTSA-Province Joint Strategy Forum which meets 3 times per year to facilitate communication on mutual priorities and strategic matters.</li> </ul> <p>The LTSA is subject to the <i>Freedom of Information and Protection of Privacy Act</i> and the <i>Ombudsperson Act</i>.</p> <p>The LTSA has an established Stakeholder Advisory Committee which includes a representative of the Province and other stakeholder nominating entities to provide operational advice.</p> <p>The LTSA has an established a Board-approved Complaints Process bylaw in respect of service concerns.</p>

Provincial Taxpayer Accountability Principles	LTSA Alignment
<p><b>3. Appropriate Compensation</b></p> <p>Comply with a rigorous, standardized approach to performance management and employee compensation, which reflects appropriate compensation for work across the public sector that is <b>consistent with government's</b> taxpayer accountability principles and respectful of the taxpayer.</p>	<p>The LTSA public Annual Report details the Board-approved compensation philosophy for Board Directors and Executive. This philosophy addresses accountability, the public interest and that the LTSA is able to appropriately attract and retain personnel. The Annual Report sets out paid compensation for Board Directors and the 5 highest paid Executives. Executive compensation disclosure includes base salary, at-risk compensation and the value of employer-paid benefits.</p> <p>Compensation amounts are informed by regular independent third party reviews which use comparators which include other public sector organizations and entities with a similar structure, revenue and size to the LTSA.</p> <p>The LTSA-BC Government and Service <b>Employees' Union</b> Collective Agreement typically provides for compensation in line with the broader public sector.</p>
<p><b>4. Service</b></p> <p>Maintain a clear focus on positive outcomes for the citizens of BC by delivering cost-efficient, effective, value for money public services and programs.</p>	<p>The LTSA delivers mandatory statutory services subject to regulated fees that are directly tied to the cost of delivery, in accordance with measurable performance standards established in the Operating Agreement. The LTSA exceeds all performance standards established in Operating Agreement.</p> <p>The LTSA is accountable to stakeholders and the public with the LTSA Board being composed of nominees of stakeholder entities set out in statute, as well as by the Stakeholder Advisory Committee, an advisory body made up stakeholder entities set out in statute along with other stakeholder representatives. These stakeholders provide a clear line of customer focused communication with LTSA.</p> <p>The LTSA is a customer service driven organization. With the introduction of myLTSA in 2014, the LTSA concurrently modernized its customer support approach which included the establishment of myLTSA Technical Support that complemented the existing Customer Service Centre providing policy and practice information to customers.</p> <p>The LTSA provides services and revenue to the provincial government, as well as taxation authorities to support their property assessment and taxation functions.</p> <p>The LTSA engages in ongoing business improvement initiatives focused on streamlining processes and continual customer service improvements.</p> <p>The LTSA receives strong support for its approach from its stakeholders and customers. It was recognized for its work by the following two awards: (1) Team of the Year Award at the BCTIA's Technology Impact Awards (2013) and (2) BC's Top 20 Innovators of the Year by BC Business Magazine (2013).</p> <p>The LTSA enjoys a 92 percent trust rating with its stakeholders and customers as well as high (80 percent+) customer service satisfaction levels.</p>
<p><b>5. Respect</b></p> <p>Engage in equitable, compassionate, respectful and effective communications that ensure all parties are properly informed or consulted on actions, decisions and public communications in a timely manner. Proactively collaborate in a spirit of partnership that respects the <b>use of taxpayers' monies</b>.</p>	<p>The LTSA Board oversees communications and consultation on significant matters, and ensures there is ongoing collaboration with the Province. Stakeholders provide operational advice to the CEO through the Stakeholder Advisory Committee. The LTSA engages in ongoing consultation and collaboration with regulated professionals.</p> <p>The LTSA Code of Business Conduct and Ethics Policy sets out requirements for a respectful workplace and all Board Directors, Executive and employees must review and agree to it as a condition of employment. Employees participate in a code of conduct and workplace behaviour orientation session.</p>

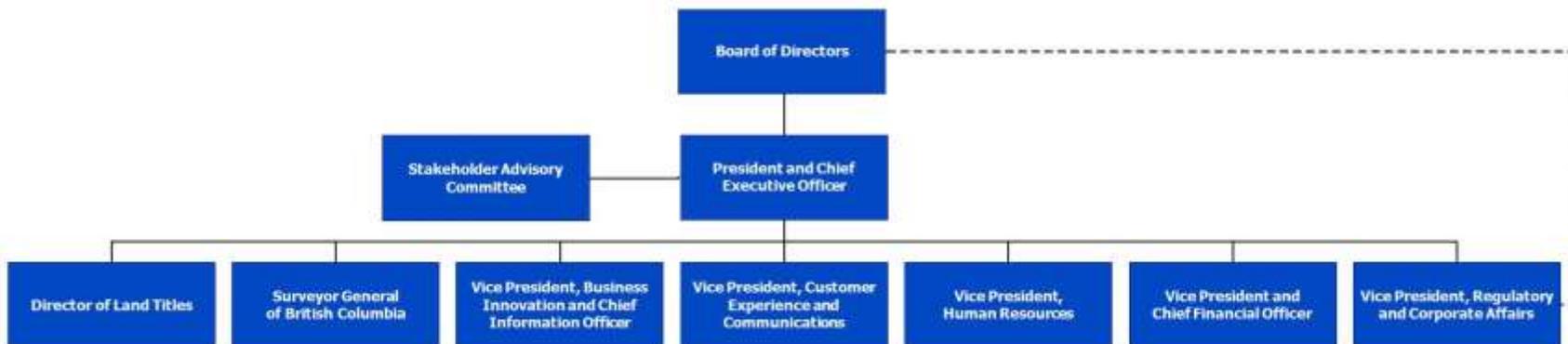
Provincial Taxpayer Accountability Principles	LTSA Alignment
<p><b>6. Integrity</b></p> <p>Make decisions and take actions that are transparent, ethical and free from conflict of interest. Require the establishment of a strong ethical code of conduct for all employees and executives. Serve the citizens of BC by respecting the shared public trust and acting in accordance with the taxpayer accountability principles.</p>	<p>The LTSA's Code of Business Conduct and Ethics Policy includes a requirement to disclose conflicts of interest, as well as an annual conflict of interest disclosure process for all Officers and Directors. All Board Directors, Executive and employees must review and agree to the Code of Business Conduct and Ethics Policy as a condition of employment. In addition, the <i>Land Title Act</i> also includes conflict of interest provisions.</p> <p>Integrity of the land title and survey systems is paramount to the LTSA. The statutory decision-makers under the land title and survey legislation set practice standards under the legislation to maintain the integrity of these systems and title examiners and other employees undergo extensive training programs to ensure proper service delivery of the systems.</p> <p>The <i>LTSA Act</i> sets out statutory qualifications for Board appointment. The Board has established a Skills and Experience Profile as part of the LTSA Bylaws to ensure the Board is made up of an appropriate mix of the skills and experience required to govern the LTSA.</p>

Appendix 4. Land Title and Survey Authority Organization Chart (March 2015)



**Land Title and Survey Authority  
of British Columbia**

March 17, 2015



## Appendix 5. LTSA Services and Interactions with the Province Regarding First Nations Treaty Development and Implementation

### 1. Support the Province During Treaty Negotiations

#### 1.1 Land Surveys

SGD staff support Ministry of Aboriginal Relations and Reconciliation (MARR) in treaty negotiations by:

- Supplying and interpreting existing survey records (e.g., survey plans, field notes);
- Advising on the adequacy of existing survey plans;
- Advising on survey requirements that will be necessary to implement treaty options;
- Advising on representation mapping in support of final agreement negotiations; and,
- Providing other survey-related advice as needed, including providing technical comments on survey-related language in the treaties and related side agreements.

#### 1.2 Land Titles

LTD supports MARR and the Ministry of Justice and Attorney General (MJAG) by contributing to the development of language respecting land title and survey registration for incorporation into the Lands and Land Titles chapters of the treaty final agreement.

LTD is also called upon in connection with the development of provincial policy regarding registration of treaty settlement lands in the land title office – i.e., to determine to what extent may treaty settlement lands be registered, how may that registration be accomplished, and what processes will be decided to ensure an efficient closing of the transaction on the effective date.

### 2. Support the Province's Legislative Process for Treaty Implementation

LTSA employees have supported MARR and/or MJAG to develop appropriate *Land Title Act* language (or language for other statutes, e.g., *Land Act*) that is necessary to effect a treaty final agreement.

The LTSA may also be called upon to review/contribute to legislative provisions pertaining to land titles or surveys that are contained in the final agreement act; and to proposed language respecting land titles or surveys contained in laws subsequently developed by First Nations.

### 3. Support and Confirm Land Surveys for Treaty Settlement Lands

SGD personnel provide land survey advice and services respecting treaty settlement lands identified in final agreements. This may include:

- Reviewing the adequacy of existing survey plans for proposed treaty lands and determining whether updated survey plans are needed;
- Assisting MARR to develop survey instructions for treaty lands and other lands affected by a final agreement;
- Assisting MARR with selecting/managing contract land surveyors;
- Working with Canada to determine survey requirements for federal lands (Indian Reserves) that will be transferred to First Nations as part of treaty settlement; and,
- Reviewing resulting survey plans, certifying approved plans and filing confirmed survey plans in the Crown land registry, the land title register and potentially with the treaty First Nation.

### 4. Register Indefeasible Titles for Treaty Settlement Lands

The LTD has registered indefeasible titles for treaty settlement lands (e.g., Tsawwassen, Maa-nulth Treaties), in accordance with the provisions in Schedule 1 of the *Land Title Act*. This has involved endorsement of a 'notice' on title as required by section 3 of Schedule 1.

Following initial registration, the LTD is required to administer treaty lands on an ongoing basis, as specified in Schedule 1 of the Act.

The LTD and SGD have also worked with the Province and their counsel to facilitate and prepare for electronic filing of all 'effective date' filings for the Yale and Sliammon First Nations agreements.

## Appendix 6. Provincial Legislative Action which has Proceeded Since 2005 with LTSA Input

Initiative	Purpose	Year	Statute
1. Assurance Fund amendments [ <i>Land Title Act</i> ]	Amendments to complete earlier work on repositioning the Assurance Fund to be more broadly available, and implement selected items from 2001 Report of Assurance Fund Task Force. [shift to immediate indefeasibility, allow for contributory negligence apportionment]	2005	<i>Miscellaneous Statutes Amendment Act (No. 2), 2006, SBC 2006, c. 35</i>
2. Electronic Survey Plans [ <i>Land Act, Land Title Act</i> ]	Amendments to encourage modern land title business operations through authorization to accept electronic filing of survey plans. Establish authority required for survey plans of Crown and non-Crown land to be submitted in electronic form.	2006	<i>Miscellaneous Statutes Amendment Act (No. 2), 2006, SBC 2006, c. 24</i>
3. BC Building Corporation restructuring	Amendments to <i>Land Title Act</i> to authorize registrar to amend land title records to reflect winding-up of BC Building Corporation.	2006	<i>Public Agency Accommodation Act, SBC 2006, c. 7</i>
4. Housekeeping amendments - <i>Land Title Act</i> and <i>Land Title and Survey Authority Act</i>	Housekeeping amendments to align governance and fee requirements with government's original intentions and complete the orderly transition of land title and survey systems from the Province to the LTSA.	2007	<i>Miscellaneous Statutes Amendment Act (No. 2), 2007, SBC 2007, c. 24</i>
5. Registration of First Nation treaty settlement lands	Expansion of <i>Land Title Act</i> to provide for the registration of First Nation treaty settlement lands in the land title system.	2007	<i>Final Agreement Consequential Amendments Act, 2007, SBC 2007, c. 36</i>
6. Integrated Land and Resource Registry	Amendments to <i>Land Act</i> to establish the Integrated Land and Resource Registry, and mandatory recording of tenure agreements.	2007	<i>Miscellaneous Statutes Amendment Act (No. 2), 2007, SBC 2007, c. 24</i>
7. Adult guardianship and planning	Amendments to powers of attorney, representation agreements and other instruments which authorize legal actions on behalf of incapacitated persons.	2007	<i>Adult Guardianship and Planning Statutes Amendment Act, 2007</i>
8. Musqueam Indian Band settlement agreement	Implementation of Reconciliation, Settlement and Benefits Agreement between Province of BC and Musqueam Indian Band, including authorization for transfers of specified lands.	2008	<i>Musqueam Reconciliation, Settlement and Benefits Agreement Implementation Act, SBC 2008, c. 6</i>
9. <i>Oil and Gas Activities Act</i>	Repeal the <i>Oil and Gas Commission Act, Pipeline Act</i> and portions of the <i>Petroleum and Natural Gas Act</i> to consolidate within a single statute the powers and duties of the Oil and Gas Commission, and rights and obligations of persons carrying out oil and gas activities in BC.	2008	<i>Oil and Gas Activities Act, SBC 2008, c. 36</i>
10. Implementation of BC-Alberta Trade, Investment and Labour Mobility Agreement	Implementation of Trade, Investment and Labour Mobility Agreement between BC and Alberta, including consequential amendments to residency requirements in <i>Land Title Act</i> .	2008	<i>Trade, Investment and Labour Mobility Agreement Implementation Act, SBC 2008, c. 39</i>
11. Registration of First Nation treaty settlement lands	Amendments to <i>Land Title Act</i> amendments contained in <i>Final Agreement Consequential Amendments Act, 2007</i> .	2008	<i>Miscellaneous Statutes Amendment Act (No. 2), 2008, SBC 2008, c. 42</i>
12. <i>Wills, Estates and Succession Act</i>	Modernization of the law of wills, estates and succession, and consolidation of 4 existing statutes.	2009	<i>Wills, Estates and Succession Act, SBC 2009, c. 13</i>
13. Inter-provincial mobility rights for land surveyors	Amendments to <i>Land Surveyors Act</i> to comply with labour mobility requirements under the BC-Alberta Trade, Investment and Labour Mobility Agreement, and authorize appointment of up to 2 lay members to ABCLS Board.	2009	<i>Miscellaneous Statutes Amendment Act No. 2, 2009, SBC 2009, c. 34</i>

Initiative	Purpose	Year	Statute
14. Enhanced electronic filing [ <i>Land Title Act</i> ]	Amendments to authorize Director of Land Titles to require electronic filing of land title documents.	2010	<i>Miscellaneous Statutes Amendment Act (No. 2), 2010, c. 6</i>
15. Adult guardianship and planning	Amendments to power of attorney-related provisions in <i>Adult Guardianship and Planning Statutes Amendment Act, 2007</i> .	2010	<i>Miscellaneous Statutes Amendment Act (No. 2), 2010, SBC 2010, c. 6</i>
16. Expansion of eligibility for land tax deferral benefits	Amendments to <i>Land Tax Deferral Act</i> to allow spouses to be added to existing registered land tax deferral agreements.	2010	<i>Finance Statutes Amendment Act (No. 2), 2010, SBC 2010, c. 18</i>
17. Designation of provincial arterial highways	Amendments to <i>Transportation Act</i> to allow arterial highways to be created through deposits of plans with appropriate certification in the land title office.	2010	<i>Miscellaneous Statutes Amendment Act (No. 3), 2010, SBC 2010, c. 21</i>
18. Deposit of First Nation treaty settlement survey plans in Crown land registry	Amendment to <i>Land Act</i> to require Surveyor General to file any plan specified in a final agreement in the Crown land registry, including plans involving federal Crown land.	2010	<i>Miscellaneous Statutes Amendment Act (No. 3), 2010, SBC 2010, c. 21</i>
19. Signing authority for land title registrations of treaty settlement lands	Amendment to <i>Land Title Act</i> to authorize provincial government and treaty First Nation representatives to sign land title instruments ahead of treaty effective date.	2010	<i>Miscellaneous Statutes Amendment Act (No. 3), 2010, SBC 2010, c. 21</i>
20. Homeowner Protection Office restructuring	Amendments to <i>Land Title Act</i> to authorize registrar to amend land title records to reflect restructuring of Homeowner Protection Office as the BC Housing Management Commission.	2010	<i>Budget Measures Implementation Act, 2010, SBC 2010, c. 2</i>
21. Filing of local government phased development agreements	Amendments to <i>Local Government Act</i> to require notices of phased development agreements to be filed in the land title office.	2010	<i>Miscellaneous Statutes Amendment Act (No. 2), 2010, SBC 2010, c. 6</i>
22. Crown ownership of fossils	Amendments to <i>Land Act</i> to reserve Crown ownership of fossils.	2010	<i>Miscellaneous Statutes Amendment Act (No. 2), 2010, SBC 2010, c. 6</i>
23. Deposit requirements for oil and gas well site plans	Prescribe requirements respecting the deposit of oil and gas well site plans in the Crown land registry.	2010	<i>Oil and Gas Activities Act</i> General Regulation, BC Reg. 274/2010 [ <i>Oil and Gas Activities Act</i> ]
24. <i>Family Law Act</i>	Amendments to the processes for filing of marriage separation agreements in the land title office.	2011	<i>Family Law Act, SBC 2011, c. 25</i>
25. <i>Land (Spouse Protection) Act</i> amendments	Amendments to <i>Land (Spouse Protection) Act</i> to include same-sex marriages and marriage-like relationships.	2011	<i>Family Law Act, SBC 2011, c. 25</i>
26. <i>Wills, Estates and Succession Act</i>	Amendments to not-yet-proclaimed <i>Wills, Estates and Succession Act, SBC 2009</i> .	2011	<i>Wills, Estates and Succession Amendment Act, 2011, SBC 2011, c. 6</i>
27. Crown ownership of fossils	<b>Prescribe the definition of "fossil" for the purposes of exceptions to grants of Crown land under the <i>Land Act</i>.</b>	2011	Fossil Definition Regulation, BC Reg. 214/2011 [ <i>Land Act</i> ]
28. Squamish Nation land title registry	Authorize the application of provincial laws to commercial, industrial and residential development on reserve lands, and the LTSA to administer a land title registry on behalf of the Squamish Nation.	2012	<i>FNCIDA Implementation Act, SBC 2012, c. 21</i>
29. Party wall agreements	Amendments to the <i>Land Title Act</i> to permit the registration of party wall agreements that contain positive obligations, and provide that all obligations contained in registered party wall agreements "run with the land".	2012	<i>Miscellaneous Statutes Amendment Act (No. 2), 2012, SBC 2012, c. 18</i>

Initiative	Purpose	Year	Statute
30. Fee exemptions for implementation of First Nation treaty settlement agreements	Establish statutory exemption for treaty First Nations and Canada for payment of fees to the LTSA and the Province for services under the <i>Land Act</i> and <i>Land Title Act</i> relating to surveys and first registrations of title to lands identified under final agreements.	2013	<i>Tla'amin Final Agreement Act, SBC 2013, c. 2</i>
31. Expansion of eligibility for land tax deferral benefits	Amendments to <i>Land Tax Deferral Act</i> allow partial disposition of land covered by a registered land tax deferral agreement, and expand eligibility criteria for dependent children.	2013	<i>Budget Measures Implementation Act, 2013, SBC 2013, c. 17</i>
32. BC Ambulance Service restructuring	Amendments to <i>Emergency Health Services Act</i> to support <b>restructuring of Province's ambulance and emergency health services programs</b> , including transfers of government-owned lands to BC Emergency Health Services.	2013	<i>Emergency Health Services Amendment Act, 2013, SBC 2013, c. 13</i>
33. <i>Community Safety Act</i>	Establishment of mechanism for addressing problem properties in communities and neighbourhoods, including process for filing of community safety orders in the land title office.	2013	<i>Community Safety Act, SBC 2013, c. 16</i>
34. Retroactive exemptions for returns of water-covered land to the Crown	Amend the <i>Land Title Act</i> to authorize Lieutenant Governor in Council to make orders undoing past deemed transfers of land under <i>Act</i> section 108(2) if there is uncertainty about the operation of the section or if its operation would be inappropriate or unfair.	2014	<i>Forests, Lands and Natural Resource Operations Statutes Amendment Act, 2014</i>
35. Streamlining of tax policy requirements involving Esquimalt and Nanaimo Railway lands	Repeal the <i>Esquimalt and Nanaimo Railway Belt Tax Act</i> .	2014	<i>Miscellaneous Statutes Amendment Act, 2014</i>
36. Clarification of reservations to lands grants from former railways	Establish a legislated process for settling claims relating to ownership of timber and stone reservations in lands granted by specified defunct railways, and require consequential updating of associated land title records.	2014	<i>Canadian Pacific Railway (Stone And Timber) Settlement Act, 2014</i>
37. Termination of land use contracts	Amendments to <i>Local Government Act</i> that terminates all registered land use contracts on June 30, 2024, and specifies the information that the Registrar may rely on to authorize removal of statutorily terminated charges from title. Local governments are authorized to terminate on an earlier date by local government bylaw and specifies information local governments must provide to Registrar regarding each parcel of land subject to a land use contract that bylaw will terminate.	2014	<i>Miscellaneous Statutes Amendment Act, 2014</i>
38. <i>Land Tax Deferral Act</i> Amendments	Amendments to <i>Land Tax Deferral Act</i> that continues registered land tax deferral agreements where an easement, SRW or similar interest is registered against land subject to agreement.	2014	<i>Budget Measures Implementation Act, 2014</i>
39. Water Legislation	Reorganizes and re-enacts legislation relating to water ownership, diversion and use, as well as repeals <i>Land Title Act</i> section 274(b) consequential to Province's determination that " <i>Water Act, 1914</i> " is spent.	2014	<i>Water Sustainability Act, 2014</i>