



**Grant Thornton**

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Review of the Performance of the  
Land Title Survey and Authority of BC and  
the Province of BC Under the Operating  
Agreement (2015 – 2020)

Land Title and Survey Authority and Ministry of  
Forests, Lands, Natural Resource Operations and Rural  
Development

**August 14, 2020**



# Grant Thornton

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**PRIVATE & CONFIDENTIAL**

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Bonnie Ruscheinski, Executive Director, Crown Land Opportunities  
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Victoria, BC V8W 9M1

Dear Ms. Fair and Ms. Ruscheinski:

**Re: Review of the Performance of the Land Title and Survey Authority of BC and the Province of BC Under the Operating Agreement (2015 – 2020)**

In accordance with the terms of our engagement, we have completed the Review of the Performance of the Land Title and Survey Authority of BC and the Province of British Columbia Under the Operating Agreement (2015 – 2020). We are pleased to provide you with the attached report.

We thank you (and your teams) for your co-operation and assistance throughout this project. We would be pleased to discuss the report's findings and recommendations with you, at your convenience.

Yours sincerely,  
**Grant Thornton LLP**

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Shane Troyer, Partner  
Advisory Services

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# Executive summary

## Introduction

The Land Title and Survey Authority (LTSA) of British Columbia and the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) engaged Grant Thornton LLP to conduct a Performance Review of the LTSA and the Province regarding the Operating Agreement for the period of 2015 – 2020. This Executive Summary presents key findings of the review and should be read in conjunction with the full Review Report.

## Key Findings

The performance of both parties over the review period has been positive. The LTSA has consistently exceeded the performance targets contained in the Operating Agreement and achieved high customer satisfaction and level-of-trust ratings. Review results indicate that British Columbia's (BC's) land title and survey systems continue to have very high public interest value and are vitally important to BC's economy.

While overall performance has been positive, there are several opportunities to strengthen performance in specific areas. The most critical areas for improvement relate to Article 7.0 and Article 4.03 and the need for more proactive and clear communication at the senior levels of the LTSA and the Province. Recommendations pertaining to Article 7.0 and Article 4.03 are as follows (the full set of recommendations is presented in the Themes and Recommendations Section of the full report).

**Article 7.0:** *Operate as a not-for-profit entity, including limiting the use of revenues that are in excess of the operating expenses of the Authority for permissible purposes.*

While the conclusion is that this obligation has been met, stakeholders expressed concerns relating to how revenues that are in excess of the operating expenses of the Authority are being invested and the results of these investments. Several stakeholders also expressed a concern that the LTSA's expansion of projects and activities outside its original mandate may impact its core activities.

### Recommendation #1:

The parties should discuss proposed projects and how they align with the LTSA's mandate, as stated in the *LTSA Act* and reinforced in the Operating Agreement. Mechanisms and considerations to help achieve this are as follows.

- The LTSA has an existing business development framework that considers how new products and services align with their mandate. The LTSA Board's New Ventures Committee also reviews how new projects align with the LTSA mandate when approving investment decisions. The parties should review and discuss the outcomes of these processes for projects to help ensure there is an understanding of the rationale for specific investment decisions.
- In the event that a new project or service does not clearly align with the LTSA mandate, the following points should be discussed:
  - The extent to which resources may be diverted from core activities;
  - The rationale for investing in the new project or activity and for utilizing resources for this purpose,

- Potential risks to the core business of the LTSA, and how these risks will be mitigated; and,
- The potential need to amend the LTSA Act and/or the Operating Agreement.

**Recommendation #2:**

The parties should meet to proactively review investment decisions and to communicate how planned investments align with provincial interests. The timing and attendees of these meetings can be determined jointly by the parties. It is important to formally establish these meetings as mandatory to be attended by senior representatives from each organization to ensure that communication regarding investment decisions and results is sustained over the years, particularly when there are transitions in senior positions within the LTSA and the Province.

**Recommendation #3:**

The LTSA should consider including a financial outlook section in its publicly-available business plan, focusing on the upcoming year (not the full three-year term of the business plan). The financial outlook section would need to include cautionary statements that the real estate market can be volatile, and, as such, the financial outlook is provided for a one-year period only and is subject to change.

**Article 4.03:** *Maintain a collaborative working relationship in respect of ongoing business interactions*

This obligation was met; however, cautionary comments were noted. While a common theme throughout the review was the positive relationship between the parties, the need to continually maintain and improve this relationship was emphasized by many of those consulted to ensure that both the LTSA and the Province can continue to fulfill their responsibilities as defined in the Operating Agreement.

**Recommendation #4:**

The LTSA's and the Province's communication professionals should collaborate on the preparation of a joint, succinct communication document, for existing and new staff, that:

- Describes the mandate and operating environments of the LTSA and the Province; and,
- Describes protocols for different levels of communication.

**Conclusions**

Overall, the performance of the LTSA and the Province under the Operating Agreement was very positive over the review period. Through this review, evidence of a strong working relationship, respect and a willingness to work collaboratively was very evident.

Given that the scope of the LTSA's activities has expanded over the years, there appears to be a growing need to ensure that communication around programs and planned investments and their results is proactive, clear and detailed. The recommendations pertaining to Article 7.0 should be the highest priority.

# Introduction

## Assignment

The Land Title and Survey Authority of British Columbia (LTSA) and the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) engaged Grant Thornton LLP (Grant Thornton) to conduct a Performance Review of the LTSA and the Province, as represented by FLNRORD, regarding the LTSA Operating Agreement for the period of 2015 – 2020. This report presents the findings and recommendations for the Performance Review.

## Background<sup>1</sup>

The LTSA was established in 2005, under the *Land Title and Survey Authority Act (LTSA Act)*, as an independent corporation charged with responsibility for operating British Columbia's (BC's) land title and survey systems, including facilitation of Crown grant execution and carrying on such necessary or advisable activities related to land title and survey systems (e.g. receiving, on behalf of the Province, the required returns under the *Property Transfer Tax Act*). The LTSA operates as a not-for-profit organization and is a public body under the *Freedom of Information and Protection of Privacy Act*.

The other necessary and advisable activities the LTSA currently carries out include:

- Supporting the Province's property taxation system through daily downloads of property transfer information to BC Assessment;
- Receiving, on behalf of the Province, the required Returns under the *Property Transfer Tax Act (PTT Act)*; and,
- Maintaining ParcelMap BC, an electronic map-based representation of all titled parcels and surveyed provincial Crown land in BC (over two million parcels are displayed in ParcelMap BC).

While the LTSA is an independent statutory corporation, the Province (through FLNRORD) is responsible for the legislative framework for BC's land title and survey systems. This structure requires the parties to work closely together and to be guided by an Operating Agreement.

While FLNRORD and the LTSA work closely together, the LTSA maintains many ongoing interactions and processes with other ministries and organizations (e.g., the Ministry of Finance, Ministry of Indigenous Relations and Reconciliation, Ministry of Transportation and Infrastructure and BC Assessment) in carrying out the related activities, and in new initiatives.

The LTSA must operate within the constraints of the *LTSA Act* and the Operating Agreement (restated June 15, 2015) between the LTSA and the Province as represented by FLNRORD. The Operating Agreement sets out the rights and responsibilities of both parties, as well as terms and conditions related to:

- Performance obligations of the LTSA and Province;

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<sup>1</sup> Adapted by Grant Thornton from the *Terms of Reference, Operating Agreement 5-Year Performance Review Period from 2015 – 2020*, pp.3 – 6.

- Minimum service levels to be maintained by the LTSA in operating the land title and survey systems;
- Processes for setting and increasing fees charged by the LTSA;
- Processes for the LTSA's collection, repayment and setting-off of monies due to the Province; and,
- Provisions pertaining to dispute resolution, events of default and associated remedies.

The Operating Agreement also includes a requirement (Article 3.05) that the parties will, every five years, appoint an independent management consultant to conduct a performance review in relation to the performance of each party under the Operating Agreement in respect of the preceding five-year period (the 5-Year Review).

The 5-Year Review is distinct from a requirement (Article 2.03) of the Agreement that the parties will review, every 10 years, the LTSA's obligations in relation to timely delivery of the land title and survey systems and sufficiency of revenues from base fees (the 10-Year Review). The first 5-Year Review covered the period from 2005 to 2010 and was completed July 10, 2010. The second 5-Year Review (to cover the period from 2010-2015) coincided with and was incorporated into the first 10-Year review, completed March 23, 2015. The review which is the subject of this report covers the period January 20, 2015 to January 19, 2020.

In order to complete the 2020, 5-Year Review in a manner which was collaborative, comprehensive and in keeping with the objectives established in the Operating Agreement, the parties followed the approach and parameters set out below.

1. The Parties mutually engaged an independent management consultant to undertake a review and assessment of each party's performance under the Operating Agreement for the 5-year period from January 20, 2015 to January 19, 2020.
2. The consultant reviewed and made findings about the following performance areas:
  - a. The performance of the LTSA in relation to its responsibilities described and objectives stated in the Operating Agreement, and in supporting the Province in meeting its responsibilities and objectives;
  - b. The performance of the Province in relation to its responsibilities described and objectives stated in the Operating Agreement, and in supporting the LTSA in meeting its responsibilities and objectives;
  - c. The performance of each party related to participation in processes described in the Operating Agreement; and,
  - d. The performance of each party in collaborating and/or cooperating in business practices or initiatives aimed at enhancing or improving efficiencies in the land title and survey systems.

Additionally, the consultant considered the recommendations from the 2010 5-Year Performance Review and made findings with respect to how those recommendations have been addressed (refer to page 34 of this report).

The consultant considered whether performance areas might be revised or refined and/or if additional performance areas should be considered, if deemed necessary.

## Scope of Work for the Performance Review

The scope of work for the review is described below.

Step	Key Tasks
<p><b>Step 1 – Materials review</b></p>	<p>This involved gathering relevant records and other background material from the parties. Materials relate to each party's operations, governance and business dealings with the other regarding the performance under the Operating Agreement over the past five years.</p> <p>The types of materials reviewed included:</p> <ul style="list-style-type: none"> <li>• LTSA: governance manual, board minutes, Stakeholder Advisory Committee (SAC) agendas and minutes, business plans, strategic plans, annual reports, stakeholder engagement process and reporting documents, financial records, relevant correspondence, and other records related to the operation of the land title and survey systems.</li> <li>• Province: government reports, financial accounts, relevant legislation, relevant correspondence, and other records related to the operation of the land title and survey systems.</li> </ul>
<p><b>Step 2: Conduct interviews</b></p>	<p>Interviews with individuals who are well-positioned to provide information on the performance of each party in the identified performance areas were conducted. The interview panel included:</p> <ul style="list-style-type: none"> <li>• Current and former LTSA board members;</li> <li>• Current and former LTSA executive team members;</li> <li>• Current and former SAC members;</li> <li>• Current and former provincial representatives from various ministries, including: FLNRORD, Finance, Attorney General, Citizens' Services, Indigenous Relations and Reconciliation, Transportation and Infrastructure, Energy and Mines.</li> </ul> <p>The following process to conduct the interviews was used:</p> <ul style="list-style-type: none"> <li>• Developed a draft interview guide, including a set of interview questions;</li> <li>• Sought input and approval from the parties, and then finalized the interview guide;</li> <li>• Confirmed the interviewee list and sought direction from the parties before concluding this step in the consultation process;</li> <li>• Scheduled the interviews and then issued the interview guide to interviewees in advance of their interview; and,</li> <li>• Conducted the interviews.</li> </ul> <p>A different process for gathering input from the SAC members was used. This involved developing and issuing an online survey and providing SAC members the option of responding online or conducting an interview.</p>



Step	Key Tasks
<b>Step 3 – Presentation of preliminary findings</b>	Following the completion of Steps 1 and 2, and in advance of preparing the report, a written summary of preliminary findings was prepared and discussed these with the parties. The summary of preliminary findings addressed the following: <ul style="list-style-type: none"><li>• The list of individuals interviewed, including the topics covered;</li><li>• The written materials reviewed;</li><li>• Preliminary conclusions reached with respect to the identified performance areas; and,</li><li>• Areas which may benefit from further information gathering or consultation.</li></ul>
<b>Step 4 – Further investigation</b>	Step 4 entailed addressing gaps identified in the Preliminary Findings summary through additional material review and/or interviews.
<b>Step 5 – Report preparation</b>	A report that presents the results of the performance review, organized by themes, was prepared. The report includes recommendations designed to address any opportunities for improvement that emerged through the previous steps.

# Overview of the Land Title and Survey Authority

## Introduction

This section presents an overview of the LTSA, providing context for the remainder of the Review Report.

## Creation of the LTSA

The LTSA was established in 2005 by the *Land Title and Survey Authority Act (the LTSA Act)*. Prior to 2005, land title functions were within the Land Title Branch of the Ministry of the Attorney General and the Surveyor General functions were within the Ministry of Sustainable Resources Management. Given significant increases in real estate transactions in BC in the late 1990s, coupled with government-wide budget restraints, the Province was not able to process land title transfers efficiently, with processing times increasing from the benchmark of six days to over 40 days in some instances.

The LTSA model was intended to create efficiencies in managing BC's land title and survey systems. Under the model introduced in 2005, the LTSA was mandated as a publicly-accountable, statutory not-for-profit corporation with the authority to operate BC's land title and survey system in the public interest. While the LTSA's operational and financial management are independent of government, it is a regulated authority and the delivery of its mandate requires a very close working relationship with the Province.

The principal features of the model are:

- The ability of the LTSA to earn and retain fee revenue;
- The requirement to reinvest all excess revenues in compliance with article 7 of the Operating Agreement; and,
- A focus on accountable delivery of BC's land title and survey systems in the public interest.

The LTSA operates the Province's land title and survey systems, and has four main service areas of responsibility:

- Land Titles: ensures the integrity of BC's Torrens-based land title system for registering land titles, and interests in titles such as mortgages and other charges;
- Land Surveys (Surveyor General): maintains the quality of the Province's land survey structure;
- Crown Grants: issues Crown grant documents that transfer Crown land into private ownership, to support government's Crown land allocation programs; and,
- ParcelMap BC: a current, and trusted visual representation of titled and Crown land parcels across BC.

On behalf of the Province, FLNRORD is responsible for the development and implementation of policy and legislation to govern the land title and survey systems jointly with the LTSA.

## Land Title System

The LTSA maintains a computerized land title register which was established and is maintained in accordance with the *Land Title Act*. The Registrar of Land Titles registers ownership of land and is responsible for the accuracy and security of all titles to property in BC. Operations Division staff and the Registrar are responsible for:

- Land title registration;
- Evaluating applications to ensure they meet required standards of accuracy and completeness;
- Responding to request for title searches; and,
- Distributing related land title documents and survey plans.

The land title register is the one authoritative source of information for each existing land title in BC. The system provides certainty regarding owner of title. Ownership is guaranteed by virtue of title being registered. In the unlikely event that there is a registration error or fraud occurs and the title-holder is financially affected, the LTSA maintains an Assurance Fund.

The LTSA processes several million land title transactions annually. This includes property ownership transfers, registration of legal notations on land titles, searches and retrieval of registered records and issuance of certificates. Titles are supported by an underlying survey plan, which is deposited at the land title register. This establishes legal description of parcels.

The land title system provides certainty and confidence which supports investment and economic development in the province.

## Land Survey System

The land survey system accurately defines the geographic boundaries of land parcels. This supports the registration of private land titles and interests in Crown land.

The Surveyor General of BC is appointed under statute and is a senior official within the LTSA. The Surveyor General is a member of the Board of the Association of BC Land Surveyors (ABCLS). She/he is responsible for approving provincial land survey rules.

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 interest on Crown land. All survey plans submitted to the LTSA are examined to ensure they comply with the required standards before they are approved for deposit into the land title office or the Province's Crown land registry.

## Crown Grants

The LTSA issues Crown grant documents that transfer Crown land into private ownership, to support government's Crown land allocation programs.

## ParcelMap BC

In 2018, the LTSA completed the development of ParcelMap BC. ParcelMap BC provides a single, sustainable electronic map of all active titled parcels and surveyed provincial Crown land parcels in BC. ParcelMap BC is updated as new surveys are completed.

## LTSA Governance

### Purpose

As per the *LTSA Act*, the purposes of the LTSA are to:

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

### Corporate Structure

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 land title and survey enactments and the Operating Agreement with the Province.

As a not-for-profit entity, all revenue earned by the LTSA must be used for its own purposes.

### Operating Agreement

The Operating Agreement, initiated in 2005 when the LTSA was established, has a 60-year term. The Operating Agreement contains the parameters within which the LTSA must operate and provides for scheduled reviews of performance of the parties (the Province and the LTSA). It documents the key LTSA and Provincial rights and obligations, including:

- LTSA performance targets;
- Provisions for sharing fee revenue;
- Provisions for setting and increasing fees;
- Mechanisms for ongoing liaison between the LTSA and the Province;
- Requirements for the Province to consult with the LTSA on legislative matters related to land titles and surveys; and,
- A requirement to conduct periodic reviews of the parties in relation to the obligations set out in the Operating Agreement.

### Board of Directors

The *LTSA Act* establishes the LTSA Board's role and composition, in addition to eligibility and procedures for appointment. The LTSA is governed by an eleven-member Board of Directors which has oversight of BC's land title and survey systems. The Board:

- Oversees the LTSA's governance (including strategic direction and business operations);
- Ensures that the 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* and the *Ombudsperson Act*); and,

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

- Ensures that its exercise of the following unique statutory functions is performed 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,
  - 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 titles and survey enactments, and other executives.

The Board also establishes bylaws to govern activities such as: methods of Board operation, annual public meetings, the LTSA's portion of customer service fees and a public complaints procedure.

#### **Stakeholder Advisory Committee**

The mandate of the SAC is to advise the Board of Directors and the CEO on the operations of the LTSA. This includes providing advice on the effectiveness of and improvements to activities, programs, services and special projects, and on any other matter as requested by the Board of Directors or CEO. Committee members are expected to have the authority to speak for their constituent stakeholders and to consult with them as required.

Membership is limited to those entities that support the LTSA in the performance of its statutory functions. The SAC meets three times per year to provide advice to the LTSA President and CEO. The LTSA Board meets annually with the SAC to hear stakeholder reports on the LTSA's management of the province's land title and survey systems.

# Performance against defined criteria

## Introduction

This section presents findings related to the following performance areas:

- The performance of the LTSA in relation to its responsibilities described and objectives stated in the Operating Agreement, and in supporting the Province in meeting its responsibilities and objectives;
- The performance of the Province in relation to its responsibilities described and objectives stated in the Operating Agreement, and in supporting the LTSA in meeting its responsibilities and objectives;
- The performance of each party in collaborating and/or cooperating in business practices or initiatives aimed at enhancing or improving efficiencies in the land title and survey systems; and,
- The performance of each party related to participation in processes described in the Operating Agreement.

The findings are based primarily on in-depth interviews with relevant stakeholders involved in the LTSA and representatives from relevant Provincial ministries (see Appendix A), in addition to examination of relevant documentation (see Appendix B).

## LTSA Rights and Responsibilities

Article	Obligation
3.01	Provide assurances as required to maintain the confidentiality of information received from the Province respecting changes to legislation.

### Performance:

- This obligation has been met during the review period.
- Non-disclosure agreements are carefully prepared and executed.
- Interviewees indicated that the LTSA adheres strictly to confidentiality obligations.

Article	Obligation
3.02	Operate the land title and survey systems in accordance with the Operating Agreement, all applicable legislation and in keeping with required Average Processing Times (as defined).

### Performance:

- This obligation has been met during the review period.
- Processing times have been consistently below the benchmarks specified in the Operating Agreement.
- The Services to Customers and Stakeholders Section provides additional details regarding performance related to this obligation.

Article	Obligation
3.04	Manage LTSA records in accordance with applicable legislation.

**Performance:**

- This obligation has been met during the review period.

Article	Obligation
3.07, 6.01	Remit statutory fees, taxes and other amounts payable to the Province which are collected by the LTSA, the registrar or the surveyor general as agent for the Province.

**Performance:**

- This obligation has been met during the review period.
- Automatic transaction fee remittance from the LTSA to the Province occurs at midnight each night.

Article	Obligation
5.02	Publish and maintain an up-to-date customer fee list on the LTSA website.

**Performance:**

- This obligation has been met during the review period.

Article	Obligation
6.02	Set-off payments to the Province only in accordance with the Payment Management Agreement between the Province and the LTSA dated December 10, 2014.

**Performance:**

- This obligation has been met during the review period.

Article	Obligation
6.03, 6.04	Maintain proper and accurate books of account and records concerning all fee amounts it is required or authorized to collect, pay or set-off and provide access to such books and records to the Province.

**Performance:**

- This obligation has been met during the review period.

Article	Obligation
7.01, 7.02	Operate as a not-for-profit entity, including limiting the use of revenues that are in excess of the operating expenses of the Authority for permissible purposes.

**Performance:**

- This obligation has been met during the review period.

**Concerns noted:**

- During the interview process, several stakeholders expressed concerns regarding how investment decisions are made, how these decisions align with the LTSA's core mandate, and the value for money resulting from these investments.
- Concern was also expressed about some activities and projects that are outside the LTSA's original mandate that may be detracting from core activities.
- Stakeholders expressed a need for more proactive communication by the LTSA to help ensure that there is a good understanding about how decisions regarding spending of revenues that are in excess of operating expenses are made. Stakeholders indicated that this is needed to maintain trust. This is discussed further in the Themes and Recommendations Section.
- Additional information regarding the capital expenditures of the LTSA during the review period is provided in the Financial Performance Section.

Accountability
<p>Meet accountability requirements in relation to:</p> <ul style="list-style-type: none"> <li>• Board membership</li> <li>• Public availability of records</li> <li>• Financial audits and reporting, including public availability and reporting of annual audited financial statements at an annual public meeting</li> <li>• Governance reviews</li> <li>• Stakeholder involvement, including establishment and maintenance of SAC</li> <li>• Code of business conduct and ethics including board and officer conflict of interest disclosure procedures</li> <li>• Public complaint process and procedures</li> </ul>

**Performance:**

- This obligation has been met during the review period.
- The LTSA's governance process and required reports are well-documented.

Article	Obligation
5.04	The LTSA will provide written notice to the Province to advise of the adjusted CPI and the amounts of adjusted fees by February 1 <sup>st</sup> of each year (note that 5.05 sets out that no notice is required if no changes are to be implemented).

**Performance:**

- This obligation has been met during the review period.
- The following deviation is understood by both parties.
  - Due to the LTSA Board meeting schedule in February, the LTSA meets this requirement by late February, not by February 1, as the Board must approve the adjusted fees.
  - The LTSA issues a letter to the Province (LTSA CEO to Deputy Minister) indicating that written notice regarding the upcoming fee amounts will be issued in late February.

Article	Right
5.06	The LTSA may charge fees for business activities beyond those explicitly noted in the Agreement (i.e. reasonable and justifiable fees or charges for administrative services such as copying, faxing, mailing, etc.).



**Performance:**

- This right has been exercised during the review period.
- Administrative fees and other fees are approved by the Board.
- Any increases in these fees is consistent with the increase in CPI, as per the Operating Agreement.

Article	Obligation
11.01	The LTSA will maintain (at its own expense) insurance with insurers licensed in BC.

**Performance:**

- This obligation has been met during the review period.

Article	Obligation
14.03	The LTSA will not perform a service or provide advice to any individual, corporation, firm, association or legal entity where such activity will, in the opinion of the Province, prevent the LTSA from fulfilling its obligations under the Operating Agreement.

**Performance:**

- This obligation has generally been met during the review period.
- The LTSA and the Province currently are working to clarify the authority of the Surveyor General regarding certain legal matters. These discussions should result in documented protocols that will ensure that each party understands the defined authorities of the Surveyor General. These protocols should also define when the Surveyor General should seek input from and/or consult with the Crown.

**Province Rights and Responsibilities**

Article	Obligation
3.01	Provide reasonable notice and consult with the LTSA in respect of changes to legislation that may impact LTSA operations.

**Performance:**

- This obligation has been met during the review period, with the exception of one incident noted below.

**Incident noted:**

- There was late communication from the Province to the LTSA regarding a change in legislation related to Vital Statistics that impacted the work of LTSA. Investigation into this matter indicated that the late communication was an oversight, due the complexity of the legislative process.

Article	Obligation
3.09, 3.10	Indemnify including defending in litigation the LTSA and/or Surveyor General and all persons acting under their direction, in respect of liabilities arising out of any act or omission when acting as agent or delegate of the Province or Minister.

**Performance:**

- This obligation has been met during the review period.

Article	Right
6.04, 6.05	Access the books of account and records of the LTSA on reasonable notice and for purposes limited to inspection, copying or auditing in relation to collection, payment or setting-off of fees.

**Performance:**

- This right has not been exercised during the review period.
- Books of account and records are available for this purpose, as required.
- Interviews verified that this has not occurred during the last five-year period.

Right
Exercise the right to participate on the SAC as contemplated in the <i>LTSA Act</i> and LTSA Bylaws.

**Performance:**

- This right has been exercised during the review period.
- A FLNRORD ADM is a member of the SAC and the Executive Director also attends the SAC meetings.

**Obligations, Rights and Processes Relevant to Both Parties**

Article	Obligation
4.02	Designate a primary contact for all issues, communications related to the Agreement, administration of the <i>LTSA Act</i> , and applicable legislation.

**Performance:**

- This obligation has been met during the review period.

Article	Obligation
4.03	Maintain a collaborative working relationship in respect of ongoing business interactions, including those identified in Schedule B of the Operating Agreement.

**Performance:**

- This obligation has been met by both parties during the review period.
- Given the dynamic nature of the government environment and the LTSA, there is a need to continually work at maintaining and enhancing relationships at all levels (operational, managerial and executive).
- Positive observations that were expressed during the performance review process are as follows:
  - There are strong collaborative working relationships and willingness to work collaboratively.
  - There are regular meetings and a transfer of information.
  - Both parties are working well together.

**Concern noted:**

- It was noted by several stakeholders that both parties need to continually enhance their understanding of the other entity's lines of business, operating environment and legislated requirements.
- This is particularly important when there are transitions in positions/staff within the LTSA or within relevant divisions of FLNRORD.

Schedule B	Business Interaction
Part I 1.	<p>The <b>Authority will provide the following</b> services to the Province:</p> <ul style="list-style-type: none"> <li>a) Electronic transmission to the Province of the following data:                             <ul style="list-style-type: none"> <li>o Land title PID numbers</li> <li>o Crown grant information</li> <li>o Crown land survey information, including, as applicable, the PID numbers</li> </ul> </li> <li>b) Electronic images of confirmed Crown land survey plans, field notes and Crown grants</li> <li>c) Unrestricted ongoing access to ParcelMap BC fabric</li> </ul>

**Performance:**

- This obligation has been met during the review period; however, several technical issues were noted (see further below).
- Business interactions related to the LTSA's provision of these services to the Province were rated high. Those interviewed provided a rating of 4.8 out of 5.0.<sup>3</sup>
- Positive observations that were noted include:
  - o Knowledgeable and supportive staff;
  - o Great service and collaboration; and,
  - o Access to systems is appropriate.

**Issues noted:**

- Several technical issues were noted as follows:
  - o Technical issues with ParcelMap, which are being addressed;
  - o There is a need for better/ more complete digitization of historical records by the LTSA;
  - o LTSA system connections are sometimes slow; and,
  - o At times, it is not clear which IT staff within the LTSA to contact to obtain assistance.

Schedule B	Business Interaction
Part I 2.	<p>The <b>Province will provide the following</b> services to the Authority:</p> <ul style="list-style-type: none"> <li>a) Unrestricted ongoing access to the Provincial network and Crown land management technology needed for the Authority to fulfill its obligations under Section 1 of Part 1 of this Schedule</li> <li>b) Unrestricted ongoing access to the Provincial control survey database and consultation with the Authority with respect to any datum shifts, whether horizontal or vertical, or coordinate adjustments of Provincial control or Integrated Survey Area monuments</li> <li>d) Consultation with the Authority with respect to technological changes which would affect the Authority's ability to fulfill its obligations under Section 1 of Part 1 of this Schedule</li> </ul>

**Performance:**

- This obligation has been met during the review period; however, a communication and technical issue was noted (see further below).

<sup>3</sup> A rating scale of 1.0 – 5.0 was used, where 1.0 is “Very Poor” and 5.0 is “Very Good”.

- Business interactions related to the LTSA’s provision of these services to the Province were rated high. Those interviewed provided a rating of 4.1 out of 5.0.<sup>4</sup>

**Issue noted:**

- An issue was noted as follows:
  - At times, the Province does not communicate in a timely manner regarding a system change that may impact the performance of LTSA systems.

Schedule B	Business Interaction
Part II 1.	<p>The <b>Authority will provide the following</b> services to the Province in respect of treaty settlement with First Nations:</p> <ul style="list-style-type: none"> <li>a) Advice and direction on legal survey matters</li> <li>b) Direction with regard to preparing mapping for treaty settlement lands so as to ensure clear and unambiguous descriptions of such lands</li> <li>c) Assistance to the Province, or to contractors retained by the Province, for the purposes of:                             <ul style="list-style-type: none"> <li>i. Conducting research of survey and land title records to determine ownership or administration of land</li> <li>ii. Providing quality control for mapping of treaty settlement lands</li> <li>iii. Managing surveys or reviewing survey plans of treaty settlement lands</li> </ul> </li> </ul>

**Performance:**

- This obligation has been met during the review period.
- Business interactions related to the LTSA’s provision of these services to the Province were rated high. Those interviewed provided a rating of 4.6 out of 5.0.<sup>5</sup>
- Positive observations were noted as follows:
  - The LTSA is very responsive to the Province’s requests; and,
  - The LTSA’s commitment to this obligation is very apparent.

Schedule B	Business Interaction
Part II 2.	<p>The <b>Province will</b> make all payments required to be made under the contracts for contractors referred to Section 1(c) Part II of this Schedule.</p>

**Performance:**

- This has not occurred during review period.

<sup>4</sup> Ibid.

<sup>5</sup> A rating scale of 1.0 – 5.0 was used, where 1.0 is “Very Poor” and 5.0 is “Very Good”.

Schedule B	Business Interaction
Part II 3.	Although the Authority had not, as of May 15, 2015, invoked any charges for the services referred to in Section 1 of Part II of this Schedule, the Authority may, on reasonable notice to the Province, impose charges on the Province for such services.

**Performance:**

- This has not occurred during review period.

Article	Obligation
14.12	Take steps on request of other party for the “better or more perfect and absolute” performance of terms and conditions of the Operating Agreement.

**Performance:**

- This obligation has been met by both parties during the review period.
- It has been noted that this is part of the on-going relationship.

Article	Obligation
4.01	Arrange any public announcement or communication relating to issues related to the <i>LTSA Act</i> in consultation with the other party before the announcement or communication is made.

**Performance:**

- This obligation has been met by both parties during the review period.
- Overall, the parties coordinate well regarding announcements and/or joint communication.

**Issue noted:**

- There was one issue that occurred during the review period related to lack of effective communication with the Union of BC Indian Chiefs by the LTSA regarding the plan to relocate historical records from the Kamloops Land Title Office to the Victoria Land Title Office. To help prevent this from happening again, the LTSA has created the Historic Records Advisory Committee, in addition to completing other actions.

Article	Obligation
14.01	Neither party is to commit or purport to commit the other party to the payment of money to any person.

**Performance:**

- This obligation has been met by both parties during the review period.

## Processes

Article	Process
12.01	<p><b>Dispute Resolution Process</b></p> <p>If there is a dispute between the parties under this Agreement, either party may by written notice to the other refer to the dispute for resolution in the first instance to the Assistant Deputy Minister of the Ministry, on behalf of the Authority, who will each use reasonable efforts to resolve the dispute within the period of 14 days following the date it was referred to them.</p>
12.02	<p>If a dispute between the parties under this Agreement is not resolved in accordance with section 12.01, the dispute will be referred by the parties to a single arbitrator and be finally resolved by arbitration administered by the British Columbia International Commercial Arbitration Centre in accordance with its Rules of Procedure for Domestic Commercial Arbitrations, as amended from time to time.</p>

### Performance:

- The dispute resolution process was not required during the review period.

Article	Process
5.01	<p><b>Fee Commissioner Process</b></p> <p>From and after the Commencement Date, the Authority:</p> <ol style="list-style-type: none"> <li>a) May, in respect of services provided by the Authority, the Registrar or the Surveyor General under the Land Title and Survey Enactments, charge and retain all revenue from the Base Fees and, as determined under this Article, from any Adjusted Fees and Commissioner adjusted Fees; and</li> <li>b) Will publish, from time to time, the Base Fees and, as determined under the Article, any Adjusted Fees and Commissioner Adjusted Fees, by posting them in the land title offices, the office of the Surveyor General and on the Authority's website, if a website is then maintained by the Authority.</li> </ol>

### Performance:

- No issues with this process were raised during this performance review.

Article	Process
5.03	<p>On the first day of each Fiscal Year of the Term, the Authority will determine the amount of each fee payable for a service described in section 5.01(a) during the Fiscal Year commencing on that day, provided that:</p> <ol style="list-style-type: none"> <li>a) No such fee may exceed the greatest of             <ol style="list-style-type: none"> <li>i. The amount obtained by multiplying the Base Fee in respect of that service by the Adjusted CPI for the 12-month period that ends on November 30<sup>th</sup> of the previous Fiscal Year, and</li> </ol> </li> </ol>

Article	Process
	<p>ii. The amount of that fee, if any, authorized by the Commissioner under section 20 of the <i>LTSA Act</i>; and</p> <p>The Authority will not be required to reduce a fee below the amount of the fee payable for the service during the previous Fiscal Year due to any decrease in the CPI over the 12-month period that ends on November 30<sup>th</sup> of the previous Fiscal Year.</p>

**Performance:**

- No issues with this process were raised during this performance review.

Article	Process
5.04	<p>On or before the first day of February of each year commencing in 2006, the Authority will, by written notice to the Province, advise the Province of:</p> <p>a) The Adjusted CPI for the 12-month period that ends on November 30<sup>th</sup> prior to that month of February; and</p> <p>b) The amounts of each Adjusted Fee and each Commissioner Adjusted Fee;</p> <p>And the Authority may in that notice request the Province to advise the Authority, by written notice to the Authority, of the Province's intentions as to anticipated adjustments, if any, to the statutory fees payable to the Province under the Land Title and Survey Enactments, and the Province will respond to such request within 30 days of its receipt by the Province.</p>

**Performance:**

- No issues with this process were raised during this performance review.

Article	Process
5.05	<p>The Authority is not required to give notice under section 5.04 if no changes to the Base Fees, Adjusted Fees or Commissioner Adjusted Fees are to be implemented by the Authority in the ensuing Fiscal Year.</p>

**Performance:**

- No issues with this process were raised during this performance review.

Article	Process
5.06	<p>The Authority may charge fees or charges for business activities conducted by it that are not referred to in section 4.03, 5.01 a) or 5.09. For certainty, the Authority may, under this section, charge reasonable and justifiable fees or charges for administrative services, including without limitation, copying, faxing, scanning, mailing, delivery, and any other services that are necessary or advisable and related to land title or survey systems.</p>

**Performance:**

- No issues with this process were raised during this performance review.
- See 5.06 under LTSA Rights and Responsibilities conclusions.

Article	Process
5.07	The Authority may increase a fee or fees referred to in section 5.01 by a factor greater than that permitted under section 5.03 but only if the proposal for such an increase is first approved by the Commissioner in accordance with section 20 of the <i>LTSA Act</i> .

**Performance:**

- This process was implemented successfully during the review period.
- This occurred following the passing of Bill 25 in 2015 which reduced the number of statutory fee categories and changed fee amounts.
- Additional details are provided in the Financial Performance Section of the report.

Article	Process
5.08	For purposes of determining the amount of fee under this Article for a service described in section 5.01 a) in the Fiscal Year subsequent to a Fiscal Year in which a Commissioner Adjusted Fee for that service has been determined: <ul style="list-style-type: none"> <li>a) The base fee in respect of that service is deemed to have been increased to the amount of that Commissioner Adjusted fee; and</li> <li>b) The definition of the “Adjusted CPI” applicable to that Base Fee is deemed to be amended by substituting the numeric value of the CPI for the 12-month period that ends on the November 30<sup>th</sup> which is prior to the first day of the Fiscal Year in which the Commissioner Adjusted Fee is to be implemented for “the CPI for the 12-month period that ended on November 30<sup>th</sup>, 2014” where it appears in the definition.</li> </ul>

**Performance:**

- No issues with this process were raised during this performance review.

Article	Process
5.09	If the Authority agrees to provide a service to the Province or a government body (as defined in the <i>Financial Administration Act</i> ), other than a service provided without a charge under or in accordance with section 4.03 or 4.04 or a service referred to in section 5.01 a), but the Authority and the Province or the government body, as the case may be, are unable to agree as to the charge for the Authority providing that service, the charge may be determined by the Commissioner in accordance with section 21 of the <i>LTSA Act</i> .

**Performance:**

- This process was not required during the five-year review period.



Article	Process
5.12	Despite any other provision in the Agreement, the Authority may in its sole discretion and at any time reduce all or any of the Base Fees, Adjusted Fees or Commissioner Adjusted Fees and the Authority will provide notice to the Province of such reductions.

**Performance:**

- This process was not required during the five-year review period.

Article	Process
5.13	Under section 386(8) a) of the <i>Land Title Act</i> , the Minister, being of the opinion that it is in the public interest to do so, exempts the Authority for the duration of the Term from the payment of all fees authorized under the <i>Land Title Act</i> which might otherwise be incurred by the Authority in the normal course of its business of managing and operating the land title and survey systems of British Columbia.

**Performance:**

- This process was not required during the five-year review period.

**Conclusions**

Overall, both the LTSA and the Province have met all the performance expectations contained in the Operating Agreement over the review period. Key positive themes include the following.

**Relationship:** The relationship between parties and willingness to work together is strong at the strategic and operational levels.

**Targets:** The LTSA consistently exceeds the quantitative targets contained in the Operating Agreement.

**Dispute Resolution Process:** There has not been a need to employ the Dispute Resolution Process.

While overall performance has been positive, the performance review revealed several opportunities for improvement, as outlined below.

**Article 7.0:** *Operate as a not-for-profit entity, including limiting the use of revenues that are in excess of the operating expenses of the Authority for permissible purposes.*

- While the conclusion is that this obligation has been met, several stakeholders expressed concerns about how decisions regarding investment of revenues that are in excess of the operating expenses of the Authority are made and the results of these investments. Concern was also expressed about some activities and projects that are outside the LTSA’s original mandate that may be detracting from core activities.

**Article 14.03:** *The LTSA will not perform a service or provide advice to any individual, corporation, firm, association or legal entity where such activity will, in the opinion of the Province, prevent the LTSA from fulfilling its obligations under the Operating Agreement.*

- The LTSA and the Province are currently working to clarify the authority of the Surveyor General regarding certain legal matters.

**Article 4.03:** *Maintain a collaborative working relationship in respect of ongoing business interactions, including those identified in Schedule B of the Operating Agreement.*

- While a common theme throughout the review was the positive relationship between the parties, the need to continually maintain and improve this relationship through proactive communication was emphasized.

**Schedule B, Part I, 1. *Provision of services by the LTSA to the Province***

Overall, stakeholders rated business interactions related to the LTSA's provision of technical services to the Province as high. The following technical issues were noted:

- Technical issues exist with ParcelMap, which are being addressed;
- There is a need for better/ more complete digitization of historical records by the LTSA;
- LTSA system connections are sometimes slow; and,
- At times, it is not clear which LTSA IT staff to contact to obtain assistance.

**Schedule B, Part I, 2. *Provision of services by the Province to the LTSA***

Overall, stakeholders rated business interactions related to the Province's provision of services to the LTSA as high. However, the following issue was noted.

- The Province will make changes and, at times, not proactively communicate or reflect on how other peoples' system could be impacted. This can affect the LTSA's ability to conduct some work in a timely manner.

Recommendations to address the above concerns are provided in the Themes and Recommendations Section of the report.

# Financial performance

## Introduction

The previous section concluded that the LTSA has met the financial management and accountability requirements stipulated in the Operating Agreement over the five-year review period. This section provides more detailed information regarding the LTSA's financial performance.

## Not-for profit and Tax-Exempt Status

Article 7 of the Operating Agreement requires that the LTSA operate in a not-for-profit manner. The LTSA is a non-profit organization, which has tax-exempt status as per a 2004 ruling by the Canadian Revenue Agency (CRA). As a non-profit organization, the LTSA must ensure that revenues it generates are used to:

- a) *Add to or improve services provided by the Authority in accordance with its purposes;*
- b) *Fund or maintain reserves reasonably necessary for the sustainable conduct of the operations of the Authority;*
- c) *Fund capital expenditures by the Authority;*
- d) *Repay debt of the Authority; or*
- e) *Reduce Base Fees and fees resulting from adjustments to Base Fees.*<sup>6</sup>

The LTSA has a wholly-owned subsidiary corporation, LandSure Systems Ltd. (LandSure), which delivers systems and communications consulting to the LTSA. LandSure is a taxable corporation that earns revenue by selling services to the LTSA and to external customers. LandSure's activities and financial performance are outside the scope of the Operating Agreement review and are not discussed in this report.

## Fee Increases

The Operating Agreement also limits the extent to which the LTSA can increase fees. Article 5 of the Operating Agreement allows the Authority to increase fees annually by no more than the rate increase in the Consumer Price Index (CPI). If the LTSA does not increase fees over one or more years, the Authority is permitted to increase fees in one year by the cumulative CPI over the years that it did not increase fees. If the LTSA considers a fee increase that exceeds CPI is required, a Fee Commissioner is engaged to assess the situation and make recommendations as per the Schedule D of the Operating Agreement (the Fee Commissioner Process).

## Revenues and Expenses

The LTSA generated positive net income in each year during the first four years of the review period (2015/16 - 2018/19) and experienced a loss of \$3,000 in 2019/20. The following table presents the LTSA's revenues and expenses for the five-year review period.

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<sup>6</sup> *Restated Operating Agreement*, June 15, 2015, p. 11.

Revenues and Expenses	2015/16	2016/17	2017/18	2018/19	2019/20
<b>Revenue (000s)</b>	<b>\$ 33,672</b>	<b>\$ 36,634</b>	<b>\$ 36,975</b>	<b>\$ 32,895</b>	<b>\$ 35,722</b>
<b>Expenses (000s)</b>					
Salaries and benefits	10,187	10,487	11,134	11,336	11,932
Information services	2,300	2,948	3,281	2,818	3,258
Office and business expenses	1,252	1,881	1,802	2,633	2,416
Building occupancy	3,563	2,781	2,805	2,828	1,143
Professional fees	2,470	3,911	4,799	6,976	11,148
Amortization	4,345	5,582	6,200	4,978	5,811
<b>Total expenses</b>	<b>24,117</b>	<b>27,590</b>	<b>30,021</b>	<b>31,569</b>	<b>35,708</b>
<b>Operating income (000s)</b>	<b>\$ 9,555</b>	<b>\$ 9,044</b>	<b>\$ 6,954</b>	<b>\$ 1,326</b>	<b>\$ 14</b>
<b>Other income/ (expenses) (000s)</b>	<b>205</b>	<b>439</b>	<b>584</b>	<b>1,227</b>	<b>(17)</b>
<b>Net income(loss) and comprehensive income (loss) (000s)</b>	<b>\$ 9,760</b>	<b>\$ 9,484</b>	<b>\$ 7,538</b>	<b>\$ 2,553</b>	<b>\$ (3)</b>

Source: LTSA

Revenue varies year-to-year based on the performance of the BC real estate market.

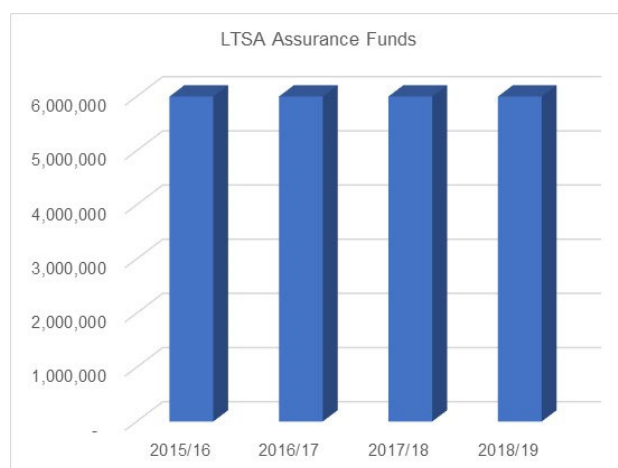
During the review period, actual and planned uses of surplus revenue are consistent with the permitted uses under Article 7. As such, the LTSA has adhered to its not-for-profit restrictions.

The LTSA prepares the required corporate income tax returns annually and the organization is recognized as tax-exempt by the CRA.

### Reserves

The LTSA maintains an Assurance Fund and a contingency cash reserve, as described below.

**Assurance Fund:** The assurance fund is maintained at \$6,000,000 and is available to pay valid claims against the LTSA for loss of interest in land. The LTSA Board sets the amount of the assurance fund, based on advice from a professional actuary. The amount provides greater than 95% confidence that the fund will have sufficient resources to pay out any claims that may arise.



Source: 2015 to 2019 LTSA Financial Statements

**Contingency Fund:** The contingency fund exists to cover expenses during an economic downturn or if unexpected costs arise. The LTSA maintains a contingency cash reserve of at least 25% of annual cash operating costs.

### Capital Expenditures

The LTSA made the following capital investments during the review period. The most significant areas of investment were in:

- The development and implementation of ParcelMap BC, which offers a current and trusted visual representation of titled and Crown land parcels across BC;
- The Web Filing project, which aims to improve customer experience through new and enhanced services on myLTSA, including electronic search and filing improvements; and,
- Property and equipment.

Capital investment (000s)	2015/16	2016/17	2017/18	2018/19	2019/20
Web filing	-	-	3,488	1,096	3,163
Property and equipment	769	478	283	2,497	2,347
ParcelMap BC	8,016	4,246	206	84	227
Other software systems	111	10	100	322	206
Survey plan modernization	-	-	-	-	137
ASTRA	443	-	10	-	87
<b>Total</b>	<b>\$9,339</b>	<b>\$4,734</b>	<b>\$4,087</b>	<b>\$3,999</b>	<b>\$6,167</b>

Source: LTSA

### Customer Fees

The Province and the LTSA share the revenue generated through land title fees. The LTSA's share is called the Base Fee, while the Province's share is called the Statutory Fee.

In 2015, the LTSA underwent a fee simplification process, which was enacted through an amendment of the *Land Title Act*. Through this initiative, the number of fee categories under the *Land Title Act* were reduced from 68 to 10. Additional rationale for this initiative is provided below.

- The intention was to reduce the number of Statutory Fee categories in Schedule 2 of the *Land Title Act* to improve customer services, delivered by or under the director of the Registrar of Land Titles, by combining fee categories based on common customer themes and by eliminating obsolete categories.
- Statutory Fees were recalculated to account for the complexity of various services and eliminate fee differences between on-line and face-to-face services, recognizing that most of the business of the Authority is already on-line.<sup>7</sup>

As part of this process, and, in addition to the fee simplification, the legislation also provided the opportunity to rebalance Statutory Fees and reasonably account for inflation. A Fee Commissioner was engaged to ensure

<sup>7</sup> Adapted from the *Report to the Fee Commissioner to the Board of Directors of the Land Title Survey Authority of British Columbia and Minister of Forests, Lands and Natural Resource Operations, Province of British Columbia, May 22, 2015*, p. 3.

fee increases were in keeping with the obligations of the Operating Agreement. As a result of the determination of the Fee Commissioner:<sup>8</sup>

- New Statutory Fees were established for services that had evolved over time and for which there was no fee at that time; and,
- The Province increased its fees by approximately 10%.

After this process, the fee split between Province and LTSA was 55% and 45%, respectively.

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<sup>8</sup> While Statutory Fees, payable to the Province, may be established through action of the legislature, Base Fees payable to the LTSA for statutory services rendered are required to be set in accordance with the current Operating Agreement between the LTSA and the Province. That agreement includes the stipulation that new Base Fees for statutory services for which there previously were no Base Fees charged may be established on the basis of an independent Fee Commissioner's determination and in accordance with the public interest criteria set out in the Operating Agreement.

# Services to customers and stakeholders

## Introduction

This section summarizes LTSA performance using several metrics, including:

- Stakeholder feedback regarding the value of LTSA services (qualitative);
- Performance data regarding the LTSA transactions relative to targets contained in the Operating Agreement;
- Data on complaints via different channels; and,
- Customer Survey Results.

## Stakeholder Observations Regarding the Value of the LTSA

Members of the SAC emphasized how important effective, reliable and efficient land title and survey systems are for BC's economy and society. Key themes resulting from interviews/surveys with SAC members regarding the land title and survey systems' public interest value are as follows:

- BC's land title and survey systems have very high public interest value and are vitally important.
- Independent, transparent, secure and modern (digital) systems provide a critical foundation for BC's real estate industry and overall economy.
- The BC land title and survey systems provide:
  - Accurate and trusted source of information;
  - Certainty regarding property ownership;
  - An efficient mechanism for transferring property ownership;
  - A safe, secure highly-respected system;
  - A cost-effective system; and,
  - Accurate records of changes in land ownership over time.

When asked to rate the delivery of the land title and survey systems and related services, the resulting average rating was 4.4 out of 5.0<sup>9</sup>. SAC members also provided suggestions for improvement. Key themes resulting from this input are as follows:

- Provide additional "fee-for-service" offerings, such as:
  - A "review of draft documents" service to minimize the occurrence of files being turned back due to errors;
  - Priority, "fast tracked" service; and,
  - Service to transfer real estate fees between lawyers.
- Provide different levels of help-desk staff, to enable more complex queries to be directed to more experienced staff.

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<sup>9</sup> A scale of 1.0 to 5.0 was used, where 1.0 is "very poor" and 5.0 is "very good".

- Given the dynamic nature of Indigenous relations and reconciliation, there may be a need for the LTSA to be proactive to anticipate changing needs related to land registries to support existing and future processes.

### Measured Performance

Section 3.02 of the Operating Agreement specifies the following targets:

*The Authority will operate the land title and survey systems in BC:*

- In accordance with the Agreement, the Act and the Land Title and Survey Enactments;*
- In a manner which ensures that the Average Processing Time for Land Title Act instruments does not exceed six business days over any Fiscal Year that commences on or after April 1, 2006;*
- In a manner which ensures that the Average Processing Time for Crown Grants does not exceed 21 days over any Fiscal Year that commences on or after April 1, 2006; and,*
- In a manner which ensures that the Average Processing Time for Land Act Surveys does not exceed 21 business days over any Fiscal Year that commences on or after April 1, 2006.<sup>10</sup>*

The LTSA's annual reports and governance reports provide a record of the LTSA's performance relative to the measures stipulated in the Operating Agreement. In each of the first four years of the review period, the LTSA exceeded these performance measures. Data for the fifth year (2019/2020) is not yet published.

The following tables and graphs present data related to processing of:

- Land title instruments;
- *Land Act* survey plan confirmation;
- Issuing of Crown grant documents;
- Surveyor General applications; and,
- Records information requests.

### Volumes of transactions

The following table shows the volume of transactions over the first four years of the review period.

Document Type	2015/16	2016/17	2017/18	2018/19
Number of registered land title instruments	811,000	888,000	851,800	771,800
Number of Crown land survey plans received and reviewed	1,596	995	959	1,841
Number of Crown grant documents issued	90	97	83	76
Number of statutory applications processed by Surveyor General	323	361	426	404
Number of requests for information: Records Distribution Services	875	788	682	810

Source: 2016 – 2018 LTSA Governance Reports and Annual Reports

<sup>10</sup> *LTSA Restated Operating Agreement*, June 15, 2015, p. 6.

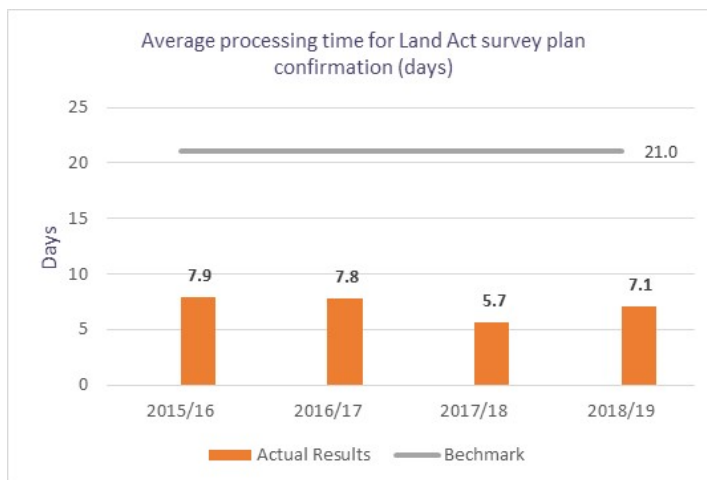
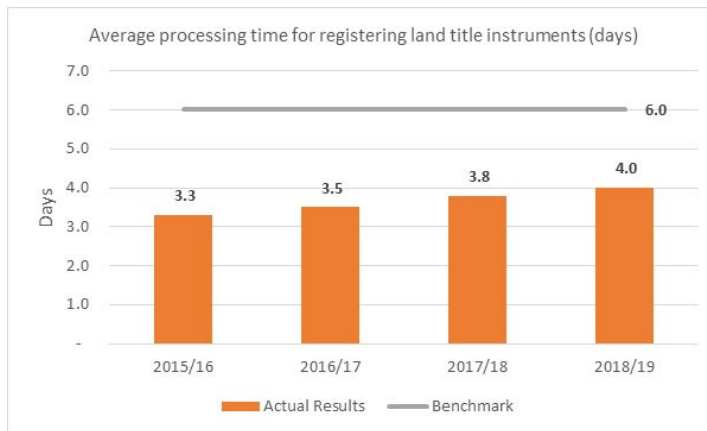


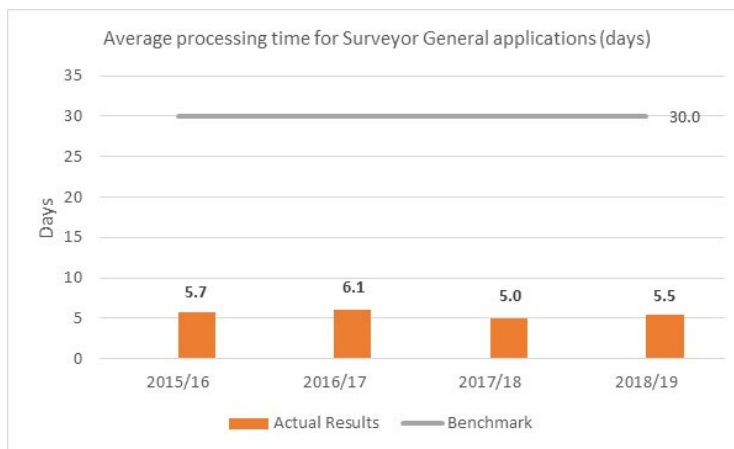
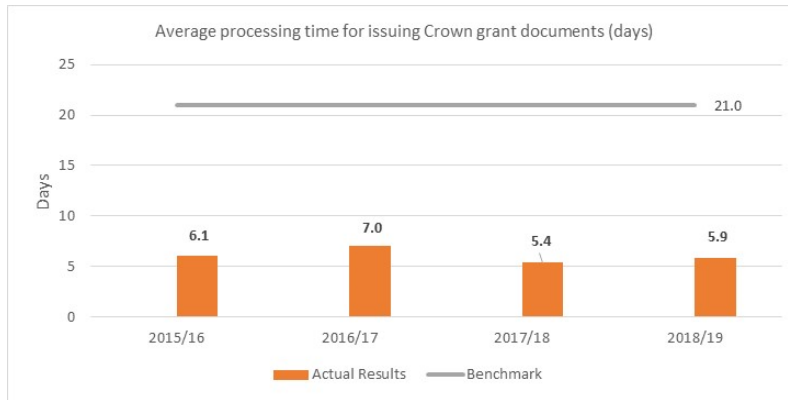
**Average processing times**

Average processing times over the four-year period relative to the LTSA performance targets are shown below. Graphs on the following pages further illustrate the LTSA’s performance for each of these transaction areas, further demonstrating how well the LTSA performs against the stated measures.

Average Processing Times	LTSA Performance Targets	Measure	4-year Average
Average processing time for registering land title instruments (days)	6	business days	4
Average processing time for Land Act survey plan confirmation (days)	21	business days	7
Average processing time for issuing Crown grant documents (days)	21	business days	6
Average processing time for Surveyor General applications (days)	30	business days	6
Average processing time for records information requests (days)	n/a		1

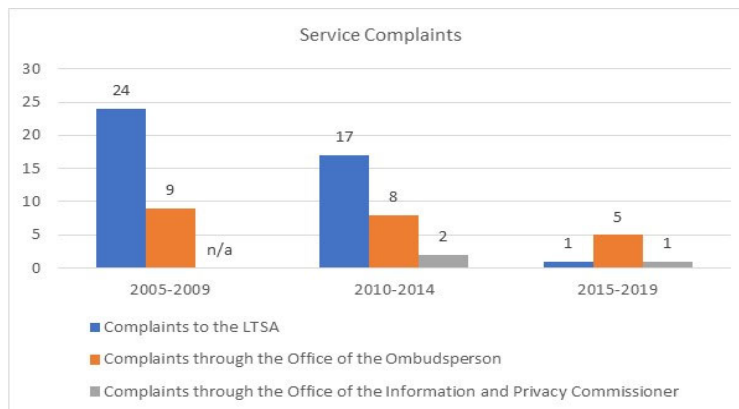
Source: 2016 – 2018 LTSA Governance Reports and Annual Reports





### Complaints

Service complaints over the fifteen-year life of the LTSA have declined considerably. The graph below presents the number of complaints via the different channels in five-year increments, starting in 2005. The 2015 – 2019 period experienced the lowest number of complaints.



**Note:** There were no results tracked between years 2005 to 2009 for complaints through the Office of the Information and Privacy Commissioner.

Sources: 2005 to 2014 data: LTSA of BC, Ten Year Operations Report 2005 to 2015; 2015 to 2019 data: Regulatory Admin and Compliance Report and Summary of Complaints and Admin Reviews for corresponding years

### **Customer Survey Results**

The LTSA conducts stakeholder surveys biannually. These surveys show high levels of stakeholder satisfaction with the LTSA. The most recent survey (2018) indicated that:

- 97% of respondents reported high customer satisfaction with the LTSA; and,
- 92% of respondents reported a high level of trust in the LTSA.

### **Conclusions**

Overall, the LTSA has exhibited strong performance in the following areas:

- Demonstrating value to stakeholders;
- Exceeding the performance targets contained in the Operating Agreement;
- Reducing the number of officially-recorded complaints over the life of the LTSA; and,
- Consistently achieving high customer satisfaction and level-of-trust ratings.

# Review of recommendations from 2010 Review Report

## Introduction

The *Review of the Performance of the LTSA and the Province Under the Operating Agreement: 2005 – 2010* was finalized on July 19, 2010. This was the first five-year review, following the establishment of the LTSA in 2005. This section provides a summary of how the 2010 recommendations were addressed following the review.

## Recommendations from the 2010 Review

The 2010 review for the 2005 – 2010 period found that:

- The LTSA consistently met and exceeded the performance targets set out in the Operating Agreement for application processing times for the service transactions, which was a significant improvement from processing times in the several years preceding the establishment of the LTSA in 2005;
- LTSA stakeholders agreed that service improved under the LTSA (relative to when these services were operated from within the Province);
- Customers felt there was a stronger customer focus, relationships were more respectful, and LTSA operations were transparent; and,
- In each year of operations, the LTSA generated more revenue than what was spent in operations. The excess revenues were re-invested in 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 2010 review also found that, while the relationship between the LTSA and the Province regarding routine activities was effective, the parties faced challenges jointly managing more complex issues, and, in particular, matters that required change management. Recommendations contained in the 2010 review report to address this issue are noted below. The decisions regarding if and/or how to implement the recommendations are noted in the right-hand column.

2010 Recommendation	Implementation Decision
Establish a “strategy and planning forum” to confirm and monitor performance in support of common objectives.	The decision was to act on this recommendation and establish a Province-LTSA Strategy Forum.
Schedule semi-annual meetings between the Minister of Forests, Land and Natural Resource Operations and Land Title and Survey Authority, Board Chair which was to be used to endorse and/or modify any identified priorities or understandings.	The decision was to continue semi-annual meetings between the Minister and the Chair, to be preceded by DM/CEO meetings, which were to include a review of shared strategic priorities (such meetings were already taking place).
Establish a structured dispute resolution process.	The decision was to utilize the existing dispute resolution process that was defined in the

2010 Recommendation	Implementation Decision
	Operating Agreement, rather than create a new one.
Confirm any new processes in an addendum to the Operating Agreement.	The decision that an addendum to the Operating Agreement was not needed.

### Results of the 2010 Review Recommendations

The establishment of the strategy forum was the one new initiative that was approved following the 2010 review. The purpose of the strategy forum, as stated in the Terms of Reference, was two-fold:<sup>11</sup>

- a. The purpose of the Strategy Forum was to facilitate communication, coordination and cooperation between the LTSA and the Province of BC on matters related to their respective roles and obligations respecting BC's land title and survey systems.
- b. The Strategy Forum was a mechanism for the LTSA and provincial agencies to coordinate, plan for and manage business interactions.

The Terms of Reference further indicated that:

*The LTSA-Province Strategy Forum will meet three times per year, in February, June and October (with additional meetings if required). The meeting dates are intended to support the budget and reporting cycles for the LTSA and for the Province and are in advance of regularly scheduled LTSA business planning and reporting meetings (in particular, prior to the LTSA's internal strategic planning process and tabling of the LTSA Business Plan and Annual Report with the Minister by the Board Chair).<sup>12</sup>*

Interviews conducted for the current review indicated that, while the strategy forum existed for several years, it was discontinued for several reasons, as noted below.

- The strategy forum was viewed as productive by senior representatives during its initial years.
- However, it became less relevant when there was a change in senior positions, particularly when these individuals found it was more effective to communicate directly, rather than through this forum.
- Eventually, policy matters were addressed on an "as-needed" basis, making the strategy forum less relevant.

The first Strategy Forum was conducted in 2011 and the last in 2015. The Strategy Forum terms of reference include a commitment to jointly decide whether to disband the forum after two years. The terms of reference require a joint decision by the Deputy Minister and LTSA CEO to disband the forum. To date, there has been no formal review/decision to disband the forum, so it remains available in event that it is ever required.

<sup>11</sup> *Terms of Reference for the Land Title and Survey Authority and Province of British Columbia Strategy Forum*, 2011, p. 1.

<sup>12</sup> *Ibid.*, p. 3.

# Themes and recommendations for the 2020 Review Report

## Introduction

Key themes resulting from 2020 performance review are as follows.

**Both the LTSA and the Province met all the performance expectations** contained in the Operating Agreement during the five-year review period.

**Overall, the LTSA has exhibited strong performance in the following areas:**

- Demonstrating strong value to stakeholders;
- Exceeding the performance targets contained in the Operating Agreement;
- Reducing the number of officially-recorded complaints over the life of the LTSA; and,
- Consistently achieving high customer satisfaction and level-of-trust ratings.

The above findings are very positive. Findings regarding key areas for potential improvement that the LTSA and the Province should endeavor to address also emerged through the review. These areas and proposed recommendations for addressing them are presented below, under the following two headings:

- Strategic and Policy; and,
- Technical.

Note that more detailed descriptions and analysis related to the strategic and policy areas are provided in this section, due to the higher level of complexity in these areas.

## Note regarding subjectivity

As is the case with all feedback received through this consultation process, the information provided has been gathered from the perspectives of those we spoke with for the sole purposes of conducting this review. Observations and prospective opportunities for improvement noted in this report were expressed by several of the individuals interviewed from both the LTSA's list of proposed interviewees and the Province's list of proposed interviewees.

It is important to note that, while judgement regarding the level of accuracy of the experiences and perspectives shared is subjective, the perspectives accurately present the perceptions of those with whom the consulting team spoke. These perceptions and perspectives are important for the LTSA and the Province to be aware of when considering the recommendations proposed to address such observations.

While it was beyond the scope of this project to corroborate each statement or perspective provided, the consulting team reported and responded to all findings of significance on the assumption that they were provided in good faith.

## Strategic and Policy Observations and Recommendations

### Observations Related to Article 7.0

Overview	Primary Party
<p><b>Article 7.0:</b> <i>Operate as a not-for-profit entity, including limiting the use of revenues that are in excess of the operating expenses of the Authority for permissible purposes</i></p> <p>While the conclusion is that this obligation has been met, several stakeholders indicated that there is a need to better understand how the LTSA's investment decisions are made, how investment decisions are evaluated against the core mandate of the LTSA, and the value received as a result of these investments. There is a risk that lack of clarity regarding these above-noted activities may result in mistrust and a strained relationship between the LTSA and the Province. Related to this, there is a concern that the LTSA has expanded its original mandate, and that new activities outside the original mandate may detract from its core activities.</p> <p>These observations, causes and possible implications are described below under:</p> <ul style="list-style-type: none"> <li>▪ Mandate</li> <li>▪ Investments</li> </ul> <p>Recommendations to address these observations are presented after the table.</p>	<p>LTSA and Province</p>

Observations Related to Mandate	Possible Causes	Possible Implications if not Addressed
<ul style="list-style-type: none"> <li>▪ Several stakeholders expressed a <b>concern that the LTSA has expanded its activities</b> beyond its intended mandate, and that new activities outside the original mandate may detract from its core activities.</li> <li>▪ Note that interviewees did not discount the importance of these</li> </ul>	<ul style="list-style-type: none"> <li>▪ During the initial years of the LTSA's operations, the scope of the organization's activities was limited to its core responsibilities set out in the Operating Agreement and the <i>LTSA Act</i>. During the first review of the performance of the LTSA and the Province under the Operating Agreement conducted in 2010, stakeholder feedback indicated that: "The limited mandate of the organization has allowed it to focus on its core responsibilities and adjust resources to meet the workload."<sup>13</sup> This was stated as one of the reasons for the LTSA's success at that time. The LTSA set the foundation for the organization during these first five years. This resulted in a much more efficient land title and survey system than when the function was managed within the provincial government.</li> </ul>	<ul style="list-style-type: none"> <li>▪ It is important that stakeholders understand and support the existing and proposed activities of the LTSA and understand how they align with the LTSA's mandate. If this understanding and support is not strong, this may impact levels of trust and compromise the integrity of relationships. The relationship between the LTSA and the</li> </ul>

<sup>13</sup> *Review of the Performance of the LTSA and the Province under the Operating Agreement: 2005 – 2010*, p. 18.

Observations Related to Mandate	Possible Causes	Possible Implications if not Addressed
<p>activities; the concern is that the focus on the LTSA's core operations may be compromised.</p>	<ul style="list-style-type: none"> <li>▪ Building upon this foundation, the LTSA continued to enhance systems and services. The LTSA's operations have become more complex and more sophisticated over time. This has resulted in higher levels of automation and increased efficiencies.</li> <li>▪ While these improvements are positive, the added complexity has resulted in some stakeholders not fully understanding the investments made and the resulting outcomes achieved. Some are unclear how certain activities align with the LTSA's mandate.</li> <li>▪ In addition, the LTSA has expanded its scope of activities beyond those noted in the Operating Agreement. For example, in 2019, new projects were requested by the Province (through the Ministry of Finance);<sup>14</sup> these are outside the scope of the Operating Agreement.</li> </ul>	<p>Province is of particular importance.</p> <ul style="list-style-type: none"> <li>▪ It is important to demonstrate that any activities that may be perceived to be outside the scope of the LTSA's mandate are, in fact, inside the scope of the LTSA's mandate and do not detract from the organization's core activities. Some stakeholders question whether new activities require resources (in particular, human resources) that should primarily be dedicated to core activities. Similar to the first point noted above, this may lead to strained relationships.</li> </ul>

**Recommendation #1:**

The parties should discuss proposed projects and how they align with the LTSA's mandate, as stated in the *LTSA Act* and reinforced in the Operating Agreement. Mechanisms and considerations to help achieve this are as follows.

- The LTSA has an existing business development framework that considers how new products and services align with their mandate. The LTSA Board's New Ventures Committee also reviews how new projects align with the LTSA mandate when approving investment decisions. The parties should review and discuss the outcomes of these processes for projects to help ensure there is an understanding of the rationale for specific investment decisions.
- In the event that a new project or service does not clearly align with the LTSA mandate, the following points should be discussed:
  - The extent to which resources may be diverted from core activities;
  - The rationale for investing in the new project or activity and for utilizing resources for this purpose,

<sup>14</sup> Examples include: The Condo and Srata Assignment Integrity Register (CSAIR), released in February 2019, and the Land Owner Transparency Registry (LOTR) due to be launched in September 2020.



- Potential risks to the core business of the LTSA, and how these risks will be mitigated; and,
- The potential need to amend the LTSA Act and/or the Operating Agreement.

Observations Related to Investments	Potential Causes	Possible Implications if not Addressed
<ul style="list-style-type: none"> <li>▪ There is uncertainty amongst some stakeholders about how the LTSA is making <b>decisions regarding the investment of surplus revenue.</b></li> <li>▪ There is <b>uncertainty regarding the “value-for-money”</b> received from the LTSA’s investments, particularly in relation to the organization’s core mandate.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Causes contributing to this issue, based on interviews and document review, include the following.                             <ul style="list-style-type: none"> <li>○ The operating environments of the public sector and the LTSA are very different. There is a continuous requirement to endeavor to understand these different environments.</li> <li>○ While there are regular meetings between senior representatives from both organizations, communication and the resulting understanding related to investment decisions and outcomes has not always been clear.</li> <li>○ Changes in senior representatives from the Province involve a transition period when the new senior representatives need to gain an understanding of the Operating Agreement, the respective parties and roles.</li> <li>○ The LTSA’s three-year Business Plan is updated annually. This document does not provide financial outlook and forecast information. This limits the ability of this document to communicate planned investments to stakeholders. The LTSA has noted it is difficult to provide financial outlook and forecasts for the three-year period, as the real estate market can be very volatile.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ The current situation is resulting in uncertainty amongst some stakeholders about the rationale for some investments. If this is not addressed, the situation may result in strained relations and lack of trust.</li> <li>▪ This concern does not necessarily mean that the LTSA is not making sound investment decisions. However, the fact that these concerns exist indicates that there is a need for more detailed and proactive communication regarding investments and outcomes.</li> <li>▪ Note that the above concerns also impact the ability to maintain and enhance a collaborative working relationship, which is the focus of Article 4.03 (see further below).</li> </ul>

**Recommendation #2:**

The parties should meet to proactively review investment decisions and to communicate how planned investments align with provincial interests. The timing and attendees of these meetings can be determined jointly by the parties. It is important to formally establish these meetings as mandatory to be attended by senior representatives from each organization to ensure that communication regarding investment decisions and results is sustained over the years, particularly when there are transitions in senior positions within the LTSA and the Province.

**Recommendation #3:**

The LTSA should consider including a financial outlook section in its publicly-available business plan, focusing on the upcoming year (not the full three-year term of the business plan). The financial outlook section would need to include cautionary statements that the real estate market can be volatile, and, as such, the financial outlook is provided for a one-year period only and is subject to change. The LTSA should also consider including in the business plan a reference and link to the quarterly financial outlook section that the organization includes in its quarterly *Management’s Discussion and Analysis of Financial Condition and Results of Operations* published on the LTSA website (<https://ltsa.ca/about-ltsa/annual-and-quarterly-reports>).

**Observations Related to Article 4.03**

Overview	Primary Party
<p><b>Article 4.03:</b> <i>Maintain a collaborative working relationship in respect of ongoing business interactions</i></p> <p>This obligation was met; however, cautionary comments were noted. While a common theme throughout the review was the positive relationship between the parties, the need to continually maintain and improve this relationship was emphasized by many of those consulted to ensure that both the LTSA and the Province can continue to fulfill their responsibilities as defined in the Operating Agreement. There is a need to continually work on this relationship, given that the operating environments of the LTSA and the Province are very different, and given that staff transition at all levels occurs periodically.</p>	<p>LTSA and Province</p>

**Recommendation #4:**

The LTSA’s and the Province’s communication professionals should collaborate on the preparation of a joint, succinct communication document, for existing and new staff, that:

- Describes the mandate and operating environments of the LTSA and the Province; and,
- Describes protocols for different levels of communication.

This recommendation is intended to facilitate consistent, strong communication between the LTSA and the Province. Both parties need to continually strive to be proactive in all aspects of communication.

There is a need for both parties to acknowledge and respect the differences in their operating environments, and the important, yet different, roles that each party plays. Both parties need to continually enhance their understanding of the other entity’s mandates, lines of business, operating environment and legislative requirements. There is a need to emphasize that the LTSA’s independence enables the organization to excel in providing land title and survey services. Developing and utilizing this communication tool will be particularly important when there are transitions in positions/staff within the LTSA or within relevant divisions of FLNRORD and other ministries.

**Observation Related to Article 14.03**

Overview	Primary Party
<p><b>Article 14.03:</b> <i>The LTSA will not perform a service or provide advice to any individual, corporation, firm, association or legal entity where such activity will, in the opinion of the Province, prevent the LTSA from fulfilling its obligations under the Operating Agreement.</i></p> <p>While this obligation was met, there is a need to clarify the authority of the Surveyor General regarding certain legal matters.</p>	<p>LTSA and Province</p>

**Recommendation #5:**

Clarify the authority of the Surveyor General regarding certain legal matters. The LTSA and the Province are currently working on this initiative.

**Technical Observations and Recommendations**

Areas/Issues to be Addressed	Primary Party
<p><b>Schedule B, Part I, 1</b>                      Technical issues with ParcelMap</p>	<p>LTSA</p>
<p><b>Schedule B, Part I, 1</b>                      Technical issues regarding scanning and storing field notes electronically</p>	<p>LTSA</p>
<p><b>Schedule B, Part I, 1</b>                      Technical issues regarding achieving better/ more complete digitization of historical records</p>	<p>LTSA</p>
<p><b>Schedule B, Part I, 1</b>                      Technical issues regarding Improving some LTSA system connections (which are sometimes slow)</p>	<p>LTSA</p>
<p><b>Schedule B, Part I, 2</b>                      Systems changes that the Province makes, but does not proactively communicate to the LTSA or reflect how the LTSA's systems may be impacted<sup>15</sup></p>	<p>Province</p>

**Recommendation #6:**

Continue the work that the LTSA and the Province are conducting together to address issues related to ParcelMap BC.

**Recommendation #7:**

Identify the resources that are required for the LTSA to address technical issues regarding scanning and storing field notes electronically and assess this as a priority against other initiatives. Based on this assessment, determine the year/timing to dedicate resources to this initiative.

<sup>15</sup> One example of this when the Province runs a security patch without notifying the LTSA. The LTSA may have problems accessing the system immediately after the security patch was applied.

**Recommendation #8:**

Identify the resources that are required for the LTSA to address technical issues regarding achieving better/more complete digitization of historical records and assess this as a priority against other initiatives. Based on this assessment, determine the year/timing to dedicate LTSA resources to this initiative.

**Recommendation #9:**

Identify the resources that are required for the LTSA to address technical issues regarding improving some system connections (which are sometimes slow) and assess this as a priority against other initiatives. Based on this assessment, determine the year/timing to dedicate resources to this initiative.

**Recommendation #10:**

Develop a protocol within FLNRORD to ensure the Province provides more proactive and timely communication with the LTSA in advance of systems work and/or changes that may impact the LTSA's operations.

**Conclusions**

Overall, the performance of the LTSA and the Province under the Operating Agreement was very positive over the review period. Through this review, evidence of a strong working relationship, respect and a willingness to work collaboratively was very evident.

Given that the scope of the LTSA's activities has expanded over the years, there appears to be a growing need to ensure that communication around programs and planned investments and their results is proactive, clear and detailed. The recommendations pertaining to Article 7.0 should be the highest priority.

# Appendix A – Persons Interviewed

## Stakeholder Advisory Committee Members Surveyed/Interviewed

Surveys/Interviews Completed	Position & Organization/Company	Organization Representing on SAC
Connie Fair	President & CEO	LTSA
Chad Rintoul	Chief Administrative Officer	Association of BC Land Surveyors
Ed Wilson	Partner, Lawson Lundell LLP	Law Society of BC
John Mayr	Executive Director, Society of Notaries Public of BC	Society of Notaries Public of BC
Jason Grant	President & CEO, BC Assessment	BC Assessment
Howard Grant	Executive Director, First Nations Summit	First Nations Summit
Aziz Pirani	Acting President	BC Association of Professional Registry Agents
Glen White	Approving Officer of Land Development, City of Chilliwack	Union of BC Municipalities
Marilyn Loewen Mauritz	Senior Vice President, General Counsel & Corporate Secretary	Central 1 Credit Union
Emiko S. Ando	Senior Legal Counsel, HSBC Bank Canada	Canadian Bankers Association
Wayne Braid	Interim CEO & Former CEO/Secretary	Society of Notaries Public of BC

## LTSA Contacts Interviewed

Name	Position	Organization
Mike Thomson	Former Surveyor General	Formerly with LTSA
Larry Blaschuk	Registrar of Land Titles	LTSA
Camille Reid	Vice President, Operations	LTSA
Greg Pedersen	Vice President & Chief Financial Officer	LTSA
Carlos MacDonald	Director of Land Titles (2019-present), Former Registrar of Land Titles (Victoria) (2018 – 2009)	LTSA
Connie Fair	President & Chief Executive Officer	LTSA
Adam Whitcombe, QC	Deputy Executive Director / Deputy Chief Executive Officer	Law Society of BC
Cristin Schlossberger	Surveyor General	LTSA
Al-Karim Kara	Vice President, Business Innovation & Chief Information Officer	LTSA
Rob Cutler	Vice President, Human Resources	Human Resources
Craig D. Johnston	Former Vice President, Policy & Legal Services (2019 - 2020), Former Director of Land Titles (2008 - 2018)	Formerly with LTSA
Leslie Hildebrandt	Former Vice President, Regulatory and Corporate Affairs	Formerly with LTSA
Janice Comeau	Former Chair, LTSA Board	LTSA Board

**Provincial Government Contacts Interviewed**

Name	Position	Ministry
Trevor Miller	Director, Revenue, CSNR	FLNRORD
Tim Sheldan	Former Deputy Minister (2015 – 2018)	FLNRORD
Chris Kositsin	Manager, Mineral Tenure Registry, Mineral Titles	EMPR
Tim Renneberg	Ministerial Assistant, Minister's Office	FLNRORD
Murray Jacobs	Former CFO (2015 – 2018)	FLNRORD
Andy Calarco	Former Executive Director, GeoBC	Now with IIT
Nancy Liesch	Former Director, GeoBC	FLNRORD
Glenna Erlandson	Geomatics & Land Registry Coordinator, Planning & Land Administration Section	ENV
Kenna Bilek	Provincial Coordinator, Land Survey & Tenure, Properties & Land Management Branch	TRAN
Doug Foster	ADM, Strategic Initiatives	FIN
Duncan Williams	Former Executive Director, Crown Land Opportunities (2015 – 2018)	Formerly with FLNRORD
Bonnie Ruschieski	Executive Director, Crown Land Opportunities	FLNRORD
Michelle Porter	Director, Lands Branch	FLNRORD
Allison McKenzie	Director, Land Transactions, Implementation & Land Service Branch	IRR
Jim Fowles	Legal Counsel	AG
Trish Dohan	ADM, Corporate Services for the Natural Resource Ministries & Executive Financial Officer for FLNRORD	FLNRORD

## Appendix B – List of Materials Reviewed

### Legislation, Amendments, Agreements

- *Land Title and Survey Authority Act, 2004*
- *Land Title Act, RSBC 1996*
- *Land Act, RSBC 1996*
- *Land Survey Act, RSBC 1996*
- *Land Surveyors Act, RSBC 1996*
- *Freedom of Information and Protection of Privacy Act, RSBC 1996*
- *Ombudsperson Act, RSBC 1996*
- *Oil and Gas Activities Act, 2008*
- *Land Owner Transparency Act, 2019*
- *Bill 25 - Forests, Lands and Natural Resource Operations Statutes Amendment Act, 2015*
- *LTSA Operating Agreement, Restated on June 15, 2015*
- *LTSA Bylaws amended December 5, 2019*

### LTSA Governance

- LTSA Board of Directors' Governance Manual
  - Tab 00 Table of Contents
  - Tab 01 Introduction
  - Tab 03 TOR - Board of Directors
  - Tab 04 Guidelines for Board Operations
  - Tab 05 Terms of Reference for the Board Chair
  - Tab 06 Terms of Reference for a Director
  - Tab 07 Terms of Reference for the Chief Executive Officer
  - Tab 08 Terms of Reference for the Corporate Secretary
  - Tab 09 Director and Officer Disclosure and Reporting Procedures under the LTSA's Code of Business Conduct and Ethics
  - Tab 10 Statement of Powers and Delegation
  - Tab 11 Strategic and Business Planning and Reporting
  - Tab 21B Current Committee Membership
  - Tab 22 Terms of Reference - Audit and Finance Committee
  - Tab 23 Terms of Reference - Governance and HR Committee
  - Tab 24 Term of Reference - New Ventures Committee

Tab 25	Current Advisory Committee and Task Group Members
Tab 26	TOR - Stakeholder Advisory Committee
Tab 28	Guidelines for Subsidiary Companies
	<ul style="list-style-type: none"><li>• LTSA Personal Information Protection Policy</li><li>• Privacy Management Framework</li><li>• LTSA Organizational Chart as of November 18, 2019</li><li>• LTSA Organizational Chart as of November 18, 2019</li><li>• LTSA Board of Director and LTSA Committee Minutes 2018/19</li><li>• LTSA Board of Director and LTSA Committee Minutes 2019/20 (Q1 and Q2)</li><li>• List of LTSA Committees</li></ul>
<b>LTSA Reporting Documents</b>	
	<ul style="list-style-type: none"><li>• Quarterly Consolidated Financial Statements and Management's Discussion and Analysis of Financial Condition and Results of Operations</li><li>• LTSA Customer Communications Plan Summary 2019/2020</li><li>• LTSA 2018 Customer Survey</li><li>• LTSA 2016 Stakeholder Survey Report</li><li>• LTSA Annual Reports (years relevant to the review period)</li><li>• LTSA Business Plans (years relevant to the review period)</li><li>• LTSA Strategic Plans (years relevant to the review period)</li><li>• LTSA Corporate Fact Sheet</li><li>• LTSA Stakeholder Surveys Results</li></ul>
<b>LTSA Informational Documents</b>	
	<ul style="list-style-type: none"><li>• myLTSA Services (information sheet)</li><li>• myLTSA Postcard (information card on myLTSA Explorer and my LTSA Enterprise)</li><li>• LTSA Fee Schedule (<a href="https://ltsa.ca/fees">https://ltsa.ca/fees</a>)</li></ul>
<b>Province of BC – LTSA Formal Communication and Collaboration</b>	
	<ul style="list-style-type: none"><li>• LTSA CEO Letter to FLNRORD Deputy Minister Regarding Delay in Notice Regarding Annual Fee Increase, January 21, 2019</li><li>• LTSA CEO Letter to FLNRORD Deputy Minister Regarding Annual Fee Increase, February 19, 2019</li><li>• LTSA and Province of BC Payment Management Agreement, December 12, 2014</li><li>• LTSA – FLNRORD Meeting Agendas</li><li>• Minister (FLNRORD) and LTSA (Board Chair) Meeting Agendas</li><li>• LTSA Statements of Fees Disbursed to the Province (years relevant to the review period)</li><li>• Delegation of Minister's Authority Letter Delegation of authorities to the Surveyor General and the Deputy Surveyor General to act on the Minister's behalf as per relevant sections of the <i>Land Act</i>, <i>Land Title Act</i>, <i>Ministry of Lands, Parks and Housing Act</i>, as required by the <i>Land Title Survey Act</i> and the LTSA Operating Agreement), May 10, 2013</li></ul>



- LTSA Ten Year Operations Report: 2005 to 2015, March 23, 2015
- LTSA Ten Year Operations Report, Province of BC/LTSA Strategy Forum Meeting, March 11, 2015
- Review of the Performance of the LTSA and the Province under the Operating Agreement: 2005 – 2010, July 19, 2010
- 2010 Interview Guide for the Stakeholder Advisory Committee (from the Review of the Performance of the LTSA and the Province under the Operating Agreement: 2005 – 2010, July 19, 2010)
- Fee Commissioner’s Report, May 2015
- FLNRORD News Release BC Land Transactions Streamlined and Modernized, October 1, 2018 (sample of news release that was collaboratively prepared by the LTSA and FLNRORD)
- FLNRORD letter to the BC Real Estate Association, June 2, 2016 (sample of a letter that was collaboratively prepared by the LTSA and FLNRORD to address an issue and provide clarification regarding discriminating covenants)

#### FLNRORD Documents and Formal Communication

- Ministerial Mandate Letter from Premier John Hogan to the Honourable Doug Donaldson, Minister of Forests, Lands and Natural Resource Operations, July 18, 2017.
- FLNRORD Service Plan (annual service plan sample to provide broader ministerial context for the review)
- FLNRORD Annual Service Plan Reports