

Land Title Application Help Resources

Presenters: Lindsay Bealle, Deputy Registrar of Land Titles and Nancy Hancharyk, Policy & Program Analyst

November 2, 2022 | 11am-12pm

First Nations Acknowledgement

 We acknowledge that we are presenting this webinar from the Kamloops and New Westminster Land Title Office on the ancestral, traditional territories of the Tk'emlúps te Secwépemc and QayQayt First Nations

 We are privileged to live and work on the traditional and ancestral territories of Indigenous Peoples and Nations throughout British Columbia.



Opening Remarks

- Introductions
- Submit your questions during the presentation
 - include first and last name or first name and firm name
- Recording and PowerPoint <u>ltsa.ca/webinar-resources</u>
- Survey we want to hear from you!



What we will cover in today's session

- Definitions: Policy and Practice
- Framework Documents for Administration of the Land Title System
- Location of Resources
- Part 10.1 and Quality Verification
- Common Defects
- myLTSA System Enhancements
- LTSA News & Events



Policy and Practice

Policy and Practice

- Policy and Practice are intertwined and go hand in hand
- The Land Title Act gives the Director of Land Titles the authority to set Policy and Practice
 - Policy establishes direction or requirements and provides an authoritative statement on what to do and who should do it.
 - Practice can be viewed as guidance expressed by land title officials to assist both land title staff and customers.



Policy and Practice

- Policy
 - Sets the registration requirements



- Policy Documents
 - establish requirements
 - based on legislation

- Practice
 - Provides guidance on how and what to submit for registration



- Practice Guides
 - application or execution of the policy



Framework

Framework for Administration of Land Title System

Framework consists of:

Requirements Documents

- Legislation
 - Regulation
- Director's Directions
- Director's Requirements

Practice Documents for administering requirements documents

- Practice Bulletins
- Practice Notes
- Land Title Practice Manual
- Practice Guides
- Support Materials (FAQ, videos, etc.)

Legislation

Requirements Documents

- Land Title Act
- Strata Property Act
- Land Act
- Court Order Enforcement Act

- Local Government Legislation
- Land Owner Transparency Act
- Builders Lien Act
- ... and more

Resource: bclaws.gov.bc.ca



Director of Land Title Directions and Requirements

Requirements Documents

- E-Filing Directions
 - Requirements for electronic land title forms and supporting documents
 - Applies to Web Filing and EFS submissions
- Director's Requirements DR 04-11 (Hardcopy Land Title Forms)
 - Sets out the approved hardcopy (paper) forms and the requirements for completing those forms
 - Less than 2% of applications



Practice Bulletins and Practice Notes

- Practice Documents

- Issued by the Director of Land Titles to clarify specific land title practice issues or to introduce practice material needed to support legislative or regulatory amendments.
- Information contained in Practice Bulletins and Practice Notes are consolidated into pertinent part(s) of Land Title Practice Manual.
- Bulletins and Notes are usually then retired unless there's continuing relevance to also remain as a stand-alone document



Land Title Practice Manual (LTPM)

Practice Document

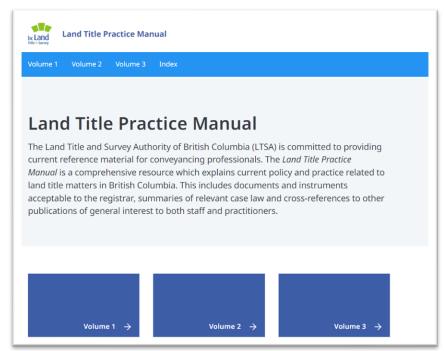
- Vol 1 = Reference to *Land Title Act*, exclusively
- Vol 2 = Reference to a variety of legislation (20+ Acts): Builders Lien Act, Court Order Enforcement Act, Property Law Act, and others
- Vol 3 = Reference to Strata Property Act, and other Acts, plus Director's Directions, Practice Bulletins and Practice Notes

Resource: ltpm.ltsa.ca



Land Title Practice Manual (LTPM)

- Practice Document
- Updated once a year, every November
- Available online and for free
- Did you know? Search function works across all three volumes





Guides and Support Material

Practice Documents

- Web Filing Form Practice Guides
- Electronic Form 17 Help Guide*
- Supporting Documents for Electronic Applications*
- Directions for Completing EFS Forms*
- ... and more

(*PDF)

- Web Filing QV Video Series
- FAQs on Quality Verification Program
- Importance of Timestamp on a Web Filing Form and Execution Copy
- Video on Declaration Section 49 Affidavit
- ...and more

Resource:

User Guides and Publications on Itsa.ca

Resource (Web-based):

help.ltsa.ca



Guides and Support MaterialLand Title Web Filing Form Practice Guides – Practice Documents

- Freehold Transfer (Form A)
- Form B (Mortgage)
- Form C (Charge)
- Form C (Release)
- Form C (Release by Authorized Subscriber Register Member)
- Form 17 (Fee Simple)

- Form 17 (Charge, Notation or Filing)
- Form 17 (Cancellation of Charge, Notation or Filing)
- Affidavit of Execution
- Change of Address (Title Owner)
- Claim of Lien (Builders Lien Act)

- <u>Declaration</u>
- Local Government Filing Form
- Power of Attorney
- Revocation of Power of Attorney
- Strata Property Act Filing



Guides and Support MaterialLand Title Web Filing Form Practice Guides – Practice Documents

Useful tool to avoid defects and delays in registration of an application

Resource: Web Filing Form Practice Guides



Guides and Support Material

- Practice Documents

Land Tile Submissions

- Electronic Form 17 Help Guide
- Changes to E-filing Directions for Supporting Documents (COVID protocol)
- Supporting Documents for Electronic Applications

Authorized Subscriber Register (ASR)

ASR Membership Guide

Land Title Plan Submissions

Electronic Land Title Plan and Plan Application Requirements

Resource (PDF): <u>User Guides and Publications on Itsa.ca</u>



Guides and Support Material

Practice Documents

PDF Form Templates

Land Title Submissions

- Valid and Retired Versions of Electronic Forms
- Directions for Completing EFS Forms

Land Title Plan Submissions

Electronic Plan Application Help Guide

Resource (PDF): <u>User Guides and Publications on Itsa.ca</u>



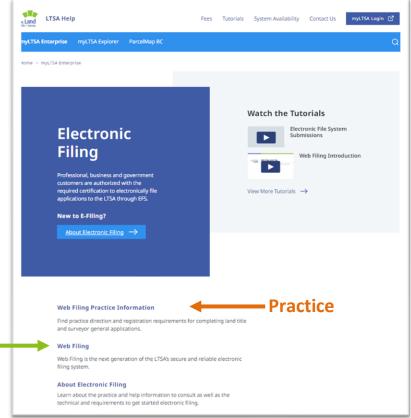
Filing Help on myLTSA Enterprise

System Functionality Documents

Find help on how to use the system

- Web Filing
- Scanning Requirements
- PTT Account Set up
- Digital Certificate Management
- EFS Package Management
- ... and more

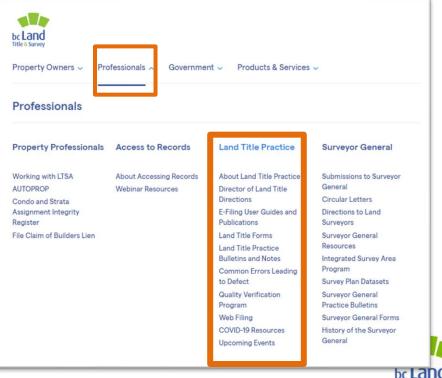




Location of Resources

Location of Policy and Practice Resources Itsa.ca/professionals/land-title-practice

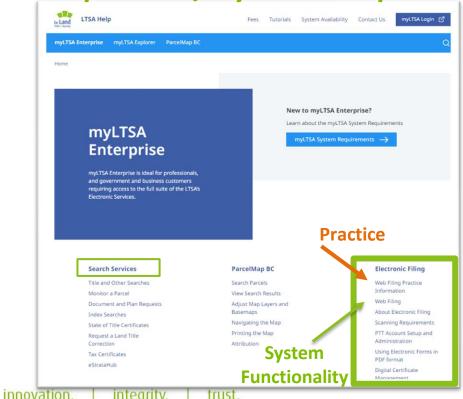




Title & Survey

Location of System Functionality Resources

help.ltsa.ca/myltsa-enterprise



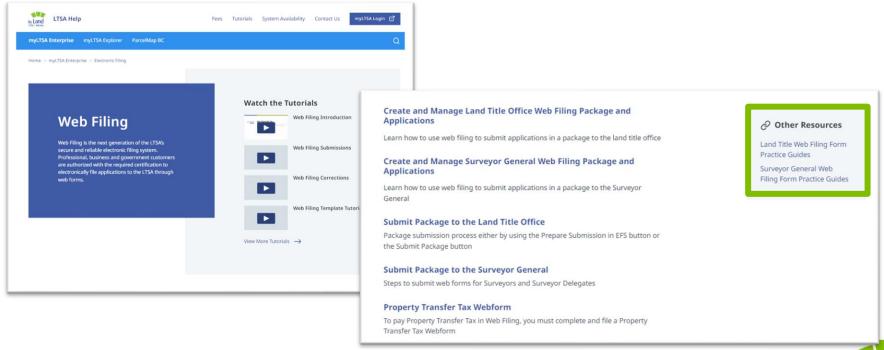




integrity.

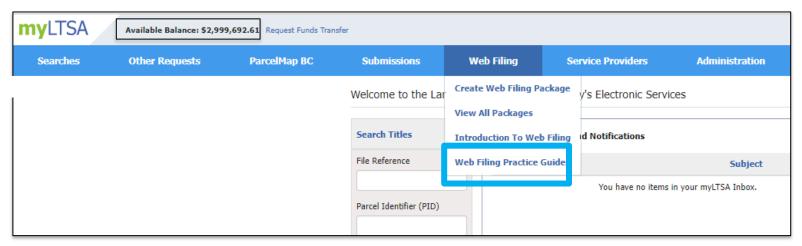
trust

Location of Web Filing Resources help.ltsa.ca/myltsa-enterprise/web-filing





Location of Web Filing Resources Your myltsa Enterprise Account





Part 10.1 of Land Title Act

+

Quality Verification

Part 10.1 + Quality Verification

- Land Title Act Part 10.1 pertains to electronic filing
- LTSA Quality Verification program ensures compliance with legislation
- Compliance is critical to maintaining the integrity of BC's land title system
 - Web Filing form = original document
 - Printed version once wet-inked signed by the client and legal professional =
 execution copy (of the original)
 - Original Web Filing form trued up with details in execution copy (eg date signed)

Resource: Quality Verification program and Web Filing Form QV Series (Video)



Part 10.1 + Quality Verification

Usage

- Form A is executed when wet inked signed by the client and witnessed by an officer.
- Applying a digital signature (Juricert), legal professionals certify they have an execution copy.
- A signed execution copy is trued-up to the Web Filing form (the original) with details from the execution copy.
- Under new Change of Address ("CoA") procedure, client no longer signs a document (eg. supporting document Form 15). The legal professional affirms on behalf of the client by applying a digital signature to the new CoA form.



Common Defects

Common Defects

- Defect notice reminders/follow up/reissue = 25% of defect notices issued
 - Please address issue and resubmit within 30-days
 - Less time issuing reminders = more time processing new applications
 - Refer to help resources
 - Questions? Call us!



Defect Notice Reminder – Example

REMINDER NOTICE

October 27, 2022 KAMI OOPS LAND TITLE OFFICE Date of Issue:

114 - 455 COLUMBIA ST

KAMLOOPS, BC

V2C 6K4

FR20.7- WFF A File Reference:

In the matter of the following application(s):

Doc.: TX6053081 FREEHOLD TRANSFER DEFECTED

Related to the following parcels:

015-274-004

This advisory is being issued as a reminder that a Notice Declining to Register regarding the above noted applications was issued on October 13, 2020 and the expiration date on that Notice Declining to Register is November 13, 2020. The applications included in the Notice Declining to Register are subject to becoming void and being cancelled if the requirements of the notice are not met by the expiration date.

LARRY BLASCHUK Registrar of Land Titles Examiner of Title

Product support is available online at https://help.ltsa.ca. You can also call the Customer Service Centre for land title and survey practice matters, or Technical Support for all registry and product questions at 604-630-9630 or toll free at 1-877-577-LTSA (5872). Non-urgent support requests can be submitted online at https://ltsa.ca/contact-us-0.



Defect Notice Reissue – Example

FRE6 Free Text Template - For Reissue/Reminder/Re-defect

REASON:

[Not all defect reasons have been addressed and/or the defect notice has expired]. REQUIREMENT:

[Please submit a corrective declaration to address the previously noted defect point(s). Alternatively, please contact our customer service center to advise the status of your progress in remedying this defect notice and to request an extension, if necessary, of the defect notice.] Failure to submit your corrective declaration or request an extension of the notice may result in the cancellation of your package without further notice.

REFERENCE(S):

Land Title Act, RSBC 1996, c 250, s 308



Defect Notice – Reason, Requirement & Reference

REASON:

Item 3 of the Land Title Act Form B is incomplete.

→ REQUIREMENT:

Provide the [full postal address/ incorporation number].

REFERENCE(S):

Land Title Act, RSBC 1996, c 250, s 150

Land Title Web Filing Form Practice Guide: Form B, para 3.1



Defect Notice – Reason, Requirement & Reference

REASON:

A joint tenant cannot mortgage its sole interest in land.

REQUIREMENT:

The joint tenancy must be severed prior to the registration of the mortgage.

REFERENCE(S):

Land Title Act, RSBC 1996, c 250, s 197(2)

Land Title Practice Manual, vol 1, para 12.11, "Registrar Requires Severance of Joint Tenancy Where One Joint Tenant Gives Mortgage"



Common Defects

 Form A transfer of a strata lot doesn't include Strata Property Act Form F declaration.

Affidavits of Execution

- Capacity and/or address of the Officer certifying execution is omitted from the application.
- Witnesses of applications executed outside of British Columbia are not officers as defined under s. 63 of the *Evidence Act*.
- Fractional interests missing on a Form A

Resource: ltsa.ca/professionals/land-title-practice/common-errors-leading-to-defect



myLTSA System Enhancements

myLTSA System Enhancements – Now Live

- Restore deleted forms within 14 days of deletion
- Move forms between unsubmitted packages
- Form C (Charge) charge terms character limit increased to 100,000 (from 5,000)
- Prevent the accidental deletion of e-signed forms



myLTSA System Enhancements - Coming Soon

- Copy data from form A to form B
- Move form between accounts



LTSA News & Events

Upcoming Webinars

- Monthly Web Filing Webinar
 - Next one: Thurs. Nov. 9, 11am-12pm
- Understanding the Land Title Application Form C (Charge)
 - Thurs. Dec. 1, 11am-12pm
- Register Today at <a href="https://linear.com/linear.



Previous Webinars | Recording + PPT

- Webinar Resources
 - Fundamentals of Land Title Applications
 - All About Land Title Defects
 - Minimizing Turnaround Times for Land Title Applications
- Quality Verification Series:
 - Original Form vs Execution Copy
 - Truing Up



Survey

PowerPoint & Recording ltsa.ca/webinar-resources

Questions?

Thank you!