

Frequently Asked Questions

Land Title and Survey Authority of BC Announces Fee Increases Effective July 1, 2009

1. Why Did the LTSA and Province Appoint a Fee Commissioner?

Due to changing economic conditions and the need to invest in the modernization of its business, it was determined recently that the current user fee schedule related to *Land Title Act* and *Land Act* statutory services would not permit the LTSA's operations to be sustainable, even with a typical Consumer Price Index rate increase.

Any planned increase to the LTSA's portion of user fees greater than the Consumer Price Index requires independent adjudication of these fees in the form of an independent Fee Commissioner appointed by the LTSA Board in conjunction with the Ministry of Agriculture and Lands.

2. What Did the LTSA and Province Ask the Independent Fee Commissioner to Do?

The Commissioner was asked to provide a public report to the LTSA Directors and the Ministry by May 30, 2009 outlining his determination on the following question:

“What level of increase to the base fees established for the LTSA pursuant to the Operating Agreement dated January 20, 2005 is required as of July 1, 2009 to maintain the long-term viability of the LTSA?”

The Commissioner rendered a decision with the criteria set out in the Operating Agreement:

- The increase in fee or new fee established must be consistent with the not-for-profit nature of the LTSA.
- The increase in fee or new fee established must relate to:
 1. The actual cost of service for the particular activity or set of activities.
 2. Take into account direct and indirect costs of the LTSA, including without limitation, contingency and insurance requirements.
 3. User needs for efficient service.
- The increase in fee or new fee established should be consistent with general economic conditions in the province and therefore be consistent with the ability of users of the land title and survey systems to pay for services rendered.
- The decision of the independent Commissioner must be made in a timely manner having regard to the LTSA's obligation for annual fee increases.
- The independent Commissioner must make his report public.

3. Who Was Appointed as Fee Commissioner?

The Commissioner is George Morfitt, FCA. Mr. Morfitt is a graduate of the University of British Columbia and a Chartered Accountant. After a 20-year career as Chief Financial Officer of the Diamond Group of Companies in Vancouver, Mr. Morfitt served two terms as Auditor General of British Columbia. Mr. Morfitt has held senior executive positions in a number of organizations, including: President, BC Institute of Chartered Accountants; Chair, Universities Council of BC; and Chair, UBC Board of Governors. At present, he holds an appointment as adjunct professor at the University of Victoria. He also currently serves as Vice-chair of both WorkSafeBC and the Motor Vehicle Sales Authority of BC, and as a councillor with the Health Council of Canada.

4. Is the Fee Commissioner's Decision Final?

The Commissioner's decision is final and conclusive and is not open to review in a court, except on a question of law or excess of jurisdiction. LTSA Directors may set the new fee up-to the amount determined by the Commissioner in his report.

5. Where Can I Read the Fee Commissioner's Report?

The [Commissioner's report](#) can be found at www.ltsa.ca.

6. How Do the LTSA's Fees Compare to Other Jurisdictions?

Fees for land title registrations in British Columbia are comparable to other Canadian jurisdictions, even with the 2009 modest fee increase.

7. How Are User Fees for Land Title and Survey Services Determined?

The LTSA administers British Columbia's land title and survey systems and collects associated fees related to statutory services performed under provincial legislation, including the *Land Title Act*, the *Land Act*, and the *Mineral Tenure Act*. The LTSA retains a portion of the fees, with the balance being remitted to the province. Under its Operating Agreement with the province, the LTSA may increase its portion of fees annually by the adjusted Consumer Price Index (CPI). Should the LTSA wish to increase its portion of the fees above the adjusted CPI, approval is required by an independent Fee Commissioner appointed by the LTSA in conjunction with the province. User fees for land title and survey services have only increased by a total of 2.4 percent in the last four years.

Contact:

Liza Aboud, VP Business Development and Communications, 604.660.2070

Gregory Pedersen, VP and Chief Financial Officer, 604.952.5836

Last updated: June 9, 2009