

MINISTRY OF SUSTAINABLE RESOURCE MANAGEMENT
LAND TITLE BRANCH

PRACTICE BULLETIN NO. 0604

SUBJECT: Applications affecting more than one Land Title Office

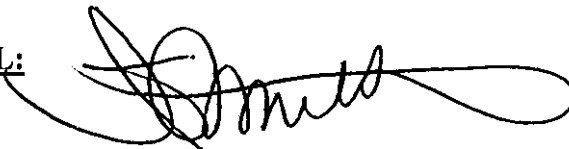
ISSUANCE: Director of Land Titles

IMPLEMENTATION: All Land Title Offices

AUTHORITY: Land Title Act

**RELATIONSHIP TO
PREVIOUS PRACTICE:** Initial Statement

EXECUTIVE APPROVAL:



EFFECTIVE DATE: *June 30,* BULLETIN NO: 0604 FILE NO: LAND TITLE ACT
2004

1. ISSUE:

Currently, documents that affect parcels in more than one land title office are filed as separate documents in each of the land title offices. This requirement results from the need to file instruments with the registrar with jurisdiction over the land title office responsible for each parcel of land.

Since there is now only one Registrar, who is responsible for all land title offices, it has been determined that this practice is now obsolete and must therefore be modified to remove the necessity of filing the same document several times.

2. DISCUSSION:

Section 156 of the Land Title Act states:

- (1) A person producing an instrument in support of an application for registration must apply to register the title dealt with by the instrument to the full extent to which the instrument is effectual.
- (2) If application is made to register the title to a part of the land or to an undivided portion of the interest comprised in and effectually dealt with by an unregistered instrument, the registrar must not register the application unless registration of the title to the remainder of the land, or to the remaining interest comprised in the instrument and located in the registrar's land title district is concurrently applied for.

Section 156 clearly prohibits the Registrar from completing registration of an application unless all the titles comprised in the instrument and located in the registrar's land title district are concurrently applied for.

3. PRACTICE:

Documents that affect parcels in more than one land title district must be submitted to only one land title office. That office will mark-up the document to its fullest extent and be responsible for registering the document on all of the affected lands and, when necessary, defecting the document.

Applicants are responsible for ensuring that the document is only filed once. When dealing with a document that affects parcels in more than one Land Title District, examiners are instructed to review other pending applications against those parcels to confirm that a duplicate filing has not occurred. Examiners will not, however, review previously registered documents. When a duplicate filing is identified by an examiner, both applications will be defecting so that the applicant can make the necessary amendments. These defects may be resolved by withdrawing

one of the pending applications or updating the applications and accompanying instruments by deleting duplicated parcels.

Clients may need time to adjust to this new procedure. Please refer any questions regarding this new procedure to a Deputy Registrar.

This practice becomes effective immediately upon issuance of this practice bulletin.