

Director's Requirements DR 04-11

DOCUMENT TITLE: Hardcopy Land Title Forms

ISSUER: Director of Land Titles

APPLICATION: All Land Title Offices

RELATIONSHIP TO PREVIOUS POLICY: Version 2.2

APPROVAL:

Carlos MacDonald, Director of Land Titles

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Change Record

Version	Date	Page	Description
2.0	August 16, 2016	All	This version is a general update and renaming of Director's Requirements and Approval for Hardcopy Land Title Forms and Plans (DR 04-11) version 1.6 (https://www.ltsa.ca/sites/default/files/DR-04-11-Directors-Requirements-and-Approval-for-Hardcopy-Land-Title-Forms-and-Plans.pdf). Version 1.6 and its change record have been archived. This version is published in conjunction with the rescission of Director's Requirements for Hardcopy Land Title Transfer Forms (DR 05-11). Some requirements that were previously contained in DR 05-11 are now addressed in this document.
2.1	January 1, 2019	4	Added Form 42 – Notice of Maintenance Order (s. 26 <i>Family Maintenance Enforcement Act</i>) Land Title Act as an approved form under section 5.1.1 and published at https://ltsa.ca/practice-info/forms-manual-filing
2.2	November 15, 2019	3-4	Removed reference to Electronic Land Title Forms and Supporting Documents (DR 03-11) and Required Electronic Filing of Land Title Documents (DR 06-11) and replaced with E-filing Directions.
	February 20, 2020	3-4	Updated link to E-filing Directions

1. Purpose

This document sets out the approved hardcopy forms for an application under the *Land Title Act* (Act) and the requirements for completing those forms established by the Director of Land Titles (Director).

2. Authority

The authority for these requirements is based in provisions of the Act allowing or requiring that land title documents be submitted in the form approved by the Director, including the general requirement in section 148(1).

3. Definitions

The following terms are used in this document:

Act	means the <i>Land Title Act</i> , RSBC 1996, c. 250.
Director	means the Director of Land Titles appointed under section 9 of the Act.
Land title document	means a document, including a plan, submitted for registration to the land title office.
LTSA	means the Land Title and Survey Authority of British Columbia.
Registrar	means a registrar appointed under section 10 of the Act.
Transfer form	means a Form A Freehold Transfer, Form B Mortgage or Form C General Instrument and includes any schedule or other document attached to the form.

4. Background

Land title forms

The Director of Land Titles (Director) requires the use of approved forms when submitting documents for registration to the land title office. Prior to 2011, transfer forms were prescribed in the Land Title (Transfer Forms) Regulation (BC Reg 53/90). Since 2011, the Director has had the authority under the Act to designate the forms that must be used. The Director has designated both electronic land title forms and hardcopy land title forms.

This document addresses the requirements for hardcopy forms while the requirements for electronic forms are addressed in E-filing Directions published at https://ltsa.ca/sites/default/files/E-filing%20Directions_0.pdf

Limited use of hardcopy land title forms

Manual filing of hardcopy land title forms is limited by requirements to file land title documents electronically. See E-filing Directions, Section 6, Required E-filing published at

https://ltsa.ca/sites/default/files/E-filing%20Directions_0.pdf for more information on these requirements.

5. Requirements for hardcopy land title forms

5.1 General requirements for hardcopy forms

Approved forms

- 5.1.1 The Director has approved hardcopy forms for submission to the land title office and these forms are published at <https://ltsa.ca/practice-information/forms-manual-filing>.
- 5.1.2 Where a form approved by the Director has been published, a hardcopy land title document submitted to the land title office must be in the approved form.

English language

- 5.1.3 A hardcopy form must be completed in the English language unless the nature of the instrument renders it impractical.

Size and formatting

- 5.1.4 A hardcopy form
- (a) must be completed on durable 8½ × 11 inch paper by printing or typing
 - (i) in legible characters of 10 or 12 pitch and not smaller than 12 point
 - (ii) in black or dark ink that is compatible with scanning, optical character recognition or micrographic technology of the kind used in the land title office, and
 - (b) must have a blank space not less than 1½ inches deep and 6 inches wide in the top right corner of the first page for use by the land title office.

Witness under Part 5 – where no approved form

- 5.1.5 Where the Director has not published an approved form for a land title document and the document requires a witness under Part 5 of the Act, the document must
- (a) where the document is witnessed by an officer, contain the officer certification statement and signature as set out below

Officer Signature(s)

Execution date

Party Signature(s)

Y	M	D
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OFFICER CERTIFICATION: Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

- (b) where the document is not witnessed by an officer, contain the words "SEE AFFIDAVIT OF EXECUTION" in the Officer Signature column and an affidavit of execution must be attached to the document.

Filed standard mortgage or charge terms

5.1.6 A set of hardcopy standard terms filed under section 228 or 235 of the Act must have

- (a) a blank space of at least 2 inches at the top of the first page and then one of the following headings:

Filed By: STANDARD MORTGAGE TERMS

Filed By: STANDARD CHARGE TERMS

- (b) page numbers at the bottom of each page
(c) numbered or lettered paragraphs, and
(d) the words "END OF SET" at the bottom of the last page immediately above the page number.

5.1.7 A hardcopy application to file a set of standard mortgage or charge terms may be in any form acceptable to the registrar.

5.1.8 A hardcopy set of standard mortgage or charge terms must be submitted for filing in duplicate, and the duplicate copy must be labelled "DUPLICATE COPY" on the first page.

5.2 Completion of hardcopy transfer forms

5.2.1 In addition to the requirements for hardcopy forms in this document, a hardcopy transfer form must be completed in compliance with the requirements and instructions for completing hardcopy transfer forms contained in Completion Instructions for Hardcopy Transfer Forms published at <https://itsa.ca/sites/default/files/Completion Instructions for Hardcopy Transfer Forms.pdf>.

6. Other manual filing requirements and resources

The following document set out other requirements related to manual filing of land title documents:

- Completion Instructions for Hardcopy Transfer Forms – <https://itsa.ca/sites/default/files/Completion Instructions for Hardcopy Transfer Forms.pdf>