



# The Register

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## West Coast UPDATE

### Introducing Our Redesigned Website

[www.wcts.com](http://www.wcts.com)

West Coast is pleased to announce that our newly-enhanced website is now available. Our new site features 6 upgraded filing and search service forms: Corporate, Court/Process Serving, Land E-Filing, Land Search & Info, MHR/PPR and Miscellaneous. As these forms are web-based, there is no download required, just a simple login process.

The new site will continue to show, under the *Areas of Service* tab, a non-exhaustive list of over 80 services that we provide and which office to contact.

New features on our website include:

**West Coast TITLE SEARCH LTD.** CLIENT LOGIN WCTS LOGIN

areas of service firm profile fees open account employment contact us home

<p><b>Client Login</b></p> <p>This time-saving feature will store your contact information (<i>name, firm name, phone/fax/e-mail</i>) and remember recent instructions on your work orders.</p>	<p><b>Service Form</b></p> <p>We have expanded our service forms to deal specifically with all departments and main areas of use. This will make it quicker and easier for you to complete your request, especially for filing electronic documents through EFS for Land documents and CSO for Court documents.</p>	<p><b>Personalized Tracking</b></p> <p>When you send us a work order, you will be sent a reply acknowledging receipt of the file as well as the contact information of the staff member that will be handling it.</p>
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If you have any questions concerning our new website, please contact Cyndy Patterson in our Client Services department at 604.659.8610 or toll-free at 1.800.553.1936 or e-mail to [cyndy@wcts.com](mailto:cyndy@wcts.com)

*We hope you will visit our new website soon!*

# Land UPDATE

## LTSA Fees Increased July 1, 2009

Effective July 1, 2009, the Land Title and Survey Authority increased its fees by about 9% for searches, imaged and microfilm documents, plan copies and most land registrations (*paper and electronic*). Details of the 2009 fee increases for the most common transactions were sent out in a West Coast *Land Update* on June 12, 2009.

If you would like a copy of the complete fee structure for services provided by the Land Title and Survey Authority, please contact Cyndy Patterson in our Client Services department at 604.659-8610 or toll free at 1.800.553.1936, or e-mail your request to [info@wcts.com](mailto:info@wcts.com). The new fee structure may also be found on the LTSA website at [www.ltsa.ca/fees](http://www.ltsa.ca/fees).

**Note:** *West Coast's Land fees have not increased since our February 2000 Fee Schedule.*

## Renewal of Judgment

Except for non-expiring judgments, a judgment expires **two years** after the date of registration in the Land Title Office. The judgment may be renewed at any time before the end of the two years after the initial registration or last renewal.

When applying to **renew a judgment**, it is not necessary to file a new certificate of judgment. All that is required is to file a photocopy of the original judgment bearing Land Title Office registration particulars with a *Land Title Act* Form 17 application.

In order to preserve the priority of the original judgment, the Form 17 must indicate "**Renewal of Judgment**" and must refer to the registration number of the *original* judgment as well as any previous renewals.

If the judgment has been previously renewed, it is only necessary to attach a photocopy of the original judgment, not the renewals.

The Land Title Office requires that the *name, occupation and address* of the judgment **debtor** and judgment **creditor**, and the *legal description(s)* of the lands, be included on the Form 17, even though this information appears on the judgment that is attached.

## Paper Filing is Still an Essential Option

The traditional **paper** method of filing land documents in the Land Title Office continues to be an important and viable filing option. Almost 60% of all land filings are still done in paper form.

In many cases, the paper method works better, especially when dealing with **complex files** such as survey plan packages where it is often necessary to make reference in one document to another document filed in the same package. The more documents involved in the same package, the more difficult it is to clearly identify documents using the "*with one registration number less than*" method of identification.

The paper method of filing is also still the best filing method to deal with **concurrent registrations** between different firms. Under EFS, all documents must be filed by one submitter. This means that one of the firms must give up control to the firm that is submitting the documents through EFS. Under the paper method of filing, agents acting for their client firms, meet together to ensure that all documents are correct and filed in the right order. Each firm continues to retain control over their own documents through their own agent.

West Coast's procedures have always emphasized thoroughness, accuracy and attention to detail. Whether you choose to file your land documents by the paper method or by the electronic method, you can always rely on West Coast to assist you.

# Residential Tenancy UPDATE

## Filing at RTB

The Residential Tenancy Branch (RTB) provides services for tenants and landlords that include dispute resolution, dispute resolution review and orders for substituted service under the *Residential Tenancy Act* and the *Manufactured Home Park Tenancy Act*. West Coast attends at the Residential Tenancy offices in *Burnaby* and *Victoria* upon request, and can arrange for filing in *Kelowna*.

### RTB Filing Fees

- *Application for Dispute Resolution* where the applicant is not claiming a monetary amount, or where the amount sought is *\$5,000 or less* is **\$50.00**.
- *Application for Dispute Resolution* where the amount sought is *greater than \$5,000* is **\$100.00**.
- *Request to Join Applications for Dispute Resolution* - the lead applicant pays the full filing fee of **\$50.00** and each other applicant pays **\$25.00**.
- *Application to Review Arbitrator's Decision or Order* is **\$25.00**.
- *Application for Substituted Service* is **\$25.00**.

### West Coast Fees

- Our fee for attending at an RTB office is \$50, **plus** a wait fee of \$60 per hour. As the line-ups are generally quite long, we often must leave the documents with the RTB office and pick them up the following day. If it is necessary to return to the RTB office to pick up documents, there will be an additional fee of \$25.00.

For information on the legislation and Rules, as well as forms and fees, please refer to the Residential Tenancy Branch website at [www.rto.gov.bc.ca](http://www.rto.gov.bc.ca).

## Corporate UPDATE

### TILMA Implemented April 27, 2009

The changes to support streamlining extra-provincial registrations of Corporations, Limited Partnerships, Limited Liability Partnerships and Cooperative Associations between **British Columbia and Alberta**, as outlined in the *Trade, Investment, and Labour Mobility Agreement* (TILMA), were finally implemented on April 27, 2009. *TILMA does not apply to Societies, General Partnerships or Sole Proprietorships.*

Some key changes include:

- When reserving a name in the home jurisdiction, there is now an option to reserve the name in the extra-provincial jurisdiction at the same time.
- A corporation only deals with and pays fees in its home jurisdiction to accomplish registration/filings in both provinces. All extra-provincial filing fees have been eliminated.
- “*Reinstatement*” replaces “*Restoration*” for extra-provincial companies. All extra-provincial filing fees have been eliminated.
- Conversions from limited to full reinstatement for extra-provincial companies are no longer permitted. Limited or full reinstatements *by court order* have also been eliminated.
- Filing of annual reports in the extra-provincial jurisdiction has been eliminated (AB/BC only).
- Certificates of Good Standing are no longer available in BC for companies whose home jurisdiction is Alberta.
- Life events of the corporation in its home jurisdiction (dissolution/amalgamation) are electronically communicated to the extra-provincial jurisdiction.

For further information, please see the TILMA website: [www.tilma.ca](http://www.tilma.ca) or the BC Registries’ website: [www.fin.gov.bc.ca/registries/corppg/tilma.htm](http://www.fin.gov.bc.ca/registries/corppg/tilma.htm).

## Court UPDATE

### E-Filing Court Documents

West Coast is pleased to assist you with e-filing your court documents through Court Services Online (CSO). To send your documents and filing instructions to us via the internet, our website, [www.wcts.com](http://www.wcts.com), offers an easy to complete service form. You can also e-mail your court documents in Adobe PDF format, along with your instructions to [info@wcts.com](mailto:info@wcts.com), whichever method you prefer.

E-filing is available for most Supreme Court Civil documents and Provincial Small Claims documents. However, there are some exceptions, notably those pursuant to Supreme Court Rule 69(5) and Small Claims Rule 22. Also, very large affidavits won’t be accepted by the system. **Note:** In addition to the applicable Court disbursements, there is a \$7.00 disbursement payable to CSO.

#### E-Filing in Chilliwack and Abbotsford

In order to provide efficient and cost-effective service, we will now automatically e-file all eligible court documents for **Chilliwack** and **Abbotsford** Court Registries. Turn-around times for receiving copies of filed documents will improve in most cases. This new policy will provide significant savings as the regular *New Westminster* filing fee of \$10.50 will be charged rather than the previous \$25.00 fee for attending in person. We also will not charge our \$3.50 fee for electronic disbursements.

#### Court Orders

*New Westminster* Court is currently **3 months** behind in checking orders that have been manually submitted at the Court Registry. If your order needs to be expedited, you should consider having West Coast e-file your court orders through CSO. *Depending on the type of order*, orders filed electronically are usually only taking up to **2 weeks** for entry; orders submitted **manually** with a ‘Rush’ letter are taking a week or more to process.

Whether we paper file your documents or electronically submit them through CSO, we thoroughly check your documents and, with your permission, make any necessary amendments to ensure your documents are acceptable.

### Repeal of Fax Filing Rule

Rule 67—the Fax Filing Rule, which was scheduled to be repealed on July 2, 2009, has been extended to **July 2, 2010**. Rule 67 permits fax filing of documents in proceedings in the *Chilliwack, Cranbrook, Dawson Creek, Kamloops, Kelowna, Nelson, Penticton, Prince George, Rossland, Salmon Arm, Smithers, Terrace, Vernon* and *Williams Lake* Court Registries.

### New Rules For BC Supreme Court

On July 7, 2009, new BC Supreme Court **Civil and Family Rules** and revised schedules of fees were announced by Attorney General Michael de Jong, Q.C. The new Rules and fees will be fully implemented July 1, 2010.

The new Rules can be viewed at [www.bcjusticereviewforum.ca/](http://www.bcjusticereviewforum.ca/) or on our website at [www.wcts.com](http://www.wcts.com) under *Registry News & Updates*.

West Coast also has copies in a binder available for purchase. Please contact Client Services at 604-659-8610, or toll free 1-800-553-1936.

## Staff Anniversary

On March 6<sup>th</sup>, 2009, **Moira Millar**, our **Manager** in our *Victoria* office, celebrated her **20<sup>th</sup>** Anniversary with West Coast. On behalf of Wayne Crookes, Owner/President and all the staff, we would like to congratulate Moira for her many years of dedicated service and say:

*"Thank You For a Job Well Done!"*



*Shelley Porter, General Manager and Moira Millar*

### Asked & Answered ~ A Land Question ~

**Question:**

*Can a Claim of Lien be filed in the Land Title Office showing both legal descriptions and mineral title descriptions?*

**Answer:**

If the claim of lien has already been filed in the Gold Commissioner's Office in which the mineral title is recorded, you may file a stamped copy of the claim of lien that was filed in the Gold Commissioner's Office, rather than filing a new claim of lien. However, the filing letter must state that the claim of lien is filed pursuant to Section 18 of the *Builders Lien Act*.

If the filing letter does not refer to Section 18 of the *Builders Lien Act*, the Land Title Office will presume you are filing a general lien pursuant to Section 16 of the *Builders Lien Act* and will require that all mineral title descriptions be removed from the lien.

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*"You asked. . . We answered"*

### Requests by E-Mail

E-mail is quick, easy and direct from you to us and vice versa. Each of our offices has an established computer that is monitored throughout the day to ensure your e-mail requests are processed in a timely manner.

Our central e-mail address is **info@wcts.com**. From this address, your work will be forwarded to the appropriate office where the work will be processed.

In addition to getting information back to you quickly by phone or fax, we are also happy to e-mail you. Just note your e-mail address in the space provided on our invoice and mark the e-mail box.

### Newsletters and Updates by E-Mail

We continue to be very encouraged by our clients' positive response to our environmental invitation to *"Help Us Go Green"*.

If you would like to receive our newsletters and updates **via e-mail**, please contact our Client Services department at 604.659.8610, or toll free at 1.800.553.1936 or via e-mail at **info@wcts.com** and ask to be added to our e-mail list.



*The Register* is the newsletter of **West Coast Title Search Ltd.** It is available free of charge and we encourage you to use the information to assist you with your work.

**West Coast Title Search Ltd.**

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