



The Register

The Newsletter of **West Coast Title Search Ltd.**

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REGISTRY SERVICES • PROCESS SERVING

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Court

UPDATE

Supreme Court Rule Changes

Amendments to the Supreme Court Rules, approved on July 7, 2009 by Orders in Council No.:

- 302 (*Supreme Court Civil Rules*) and
- 303 (*Supreme Court Family Rules*),

will become effective July 1, 2010. The Family Rules were previously part of the Civil Rules, but now they will stand alone.

Tables of Concordance

The Civil and Family Rules each have a Table of Concordance that relate the current Rule to the new Rule. *For example*, to amend a document under the new Civil Rules, the Table of Concordance will direct you from the current *Rule 24(1)* to the new *Rule 6-1(1)*. (**Note:** *Sub-sections* are not specified).

Although many of the current Rules still exist, others have been eliminated or amended. Below are a couple of examples:

Civil Rule 4-4 - *Alternative Methods of Service*

One change that will affect the service of documents is the elimination of several subsections under the current Rule 12 involving *substitutional service without order*. Under the new Rule 4-4, substitutional service is permitted only if a Court Order is obtained.

Civil Rule 15-1 - *Fast Track Litigation*

Rule 15-1 combines the existing *Expedited Litigation Rule* (current Rule 68) and the *Fast Track Rule* (current Rule 66) to provide a single, simplified and fast procedure when the case can be tried in three days or less and when the amount in dispute is \$100,000 or less. Under the new Rules, litigants will be provided up to three days of trial time before they are required to pay court fees.

Fee Schedules

Appendix C - Fees - Schedule 1 of the Supreme Court Civil and Family Rules has also been amended. This section deals with "*fees payable to the Crown*" for the filing of some documents. The new fee schedules reduce the number of fee categories and attempt to create fairer fee structures, where similar procedures will cost the same. The new fees are much simpler and easier to understand and most documents will now cost either \$200, \$80 or \$40.

The new Rules, Forms, Fee schedules and Tables of Concordance can be viewed at www.bcjusticereviewforum.ca or on our website at www.wcts.com under "**NEW Supreme Court Rules - Links*".

West Coast is pleased to offer any assistance we can to help with transition to the new Rules. For further information, please contact:

Vancouver

Stuart Scharf, at 604-659-8701
(toll-free at 1-800-806-2788)

New Westminster

Valerie Moss, at 604-659-8630
(toll-free at 1-800-553-1936)



Process Serving UPDATE

The More We Know – The Better We Serve

West Coast is a leader in process serving, with a 95 percent success rate in serving documents in the Lower Mainland in three attempts or less.

However, we must overcome many obstacles before we can complete your services, such as: security cameras, un-cooperative receptionists, family members, gated properties and elevators that require key cards for access to the designated floor. The media has also become a contributing factor to service delays, as people are often influenced by what they have seen about process servers on TV and on the Internet.

With defendants being more and more aware of the methods used for service, we sometimes have to execute service by way of *court order* rather than by *personal service* or the current *Rule 12*.

Process serving uses interpersonal skills and intuition but an important part of process serving is finding out as much as possible about the party being served.

The more information that you are able to give us, the more effective we can be at performing services in a timely manner.

Serving Individuals

- What is the party's gender, approximate age and description, their work location and history?
- Are they cooperative or evasive? (*Providing a photograph is the best way to identify evasive defendants*).
- What time do they go to work and come home?
- Are they living in a basement suite? If so, what is the location of the suite access?

- What kind of vehicle should we look for?
- What is the intercom code for the apartment building?
- Do they have issues such as drug/alcohol addictions or violent tendencies?
- Telephone numbers are helpful, but if the number given is a cell phone number, we cannot locate a corresponding address for it.

Serving Companies

- Please provide a *company search* for any Writs, Statements of Claim or Orders, etc. so we can assure the party that we have the right to serve them in the manner we choose.
- *Registered offices* often appear as mail boxes, residential addresses, chartered accountants' offices, law firms and businesses operating under another name. A company search will provide more accurate address information for locating the party to be served.

Time-Sensitive Files

- Please indicate your specific time requirements. "Rush", "Urgent" and "ASAP" can be ambiguous. The more advance notice we are given, and the earlier your documents arrive in our office, the easier it will be to meet your service deadlines.

Updates

- We will provide you with regular progress updates and inform you once service has been completed.

For more information on process serving, please contact Nick Vojic, our Process Serving Manager, in our Vancouver Office at 604-659-8702 or toll-free at 1-800-806-2788. You may also e-mail him directly at nick@wcts.com.

Our team of highly-trained and experienced process servers look forward to being of service to you.

BC Gazette

UPDATE

Submission Changes for 2010

The normal deadline for submissions to the BC Gazette is **1:30 p.m. each Tuesday**. The B.C. Gazette is printed on the following Thursday, with a copy available for pick-up on Friday afternoon. Statutory holidays can sometimes alter this schedule.

In 2010, the statutory holidays for *Canada Day* (Thursday, July 1) and *Remembrance Day* (Thursday, November 11) will result in the following schedule changes for submission to the B.C. Gazette:

Monday - June 28

Printing - Wednesday, June 30
Distribution - Friday, July 2

Monday - Nov 8

Printing - Wednesday, Nov 10
Distribution - Friday, Nov 12

For a copy of the Deadlines and Publishing schedule, please see <http://www.publications.gov.bc.ca/bcgazette.aspx> or call our Victoria office at 250-405-6000 or toll free at 1-800-667-7767.

Corporate

UPDATE

Telephone Access to Corporate Registry

Effective February 11, 2010, phone calls may only be made to Corporate Registry staff (*including their direct lines*) between **9:00 a.m. and 4:00 p.m.**, instead of their regular business hours of 8:30 a.m. to 4:30 p.m.

The Corporate Registry can be contacted at 250-356-8626 or *free direct dial* from Greater Vancouver at 604-775-1047.

Correcting the Corporate Register

Form 47 - *Application to Correct the Corporate Register* is used to correct information on a previously filed corporate registration. The Form 47 is a paper filing and has a prescribed fee of \$20. However, this fee does not generate a confirmation of the filing unless you specify what type of confirmation you require and pay additional fees.

If sending a Form 47 to us for filing, please ensure you specify what you would like to have returned for your minute book. There are a number of options to choose from, depending on your needs:

Post

- An additional disbursement of \$10 plus 0.50 cents per page copy fee must be paid.

Certified copy of Form 47

- An additional \$25 disbursement must be paid. A *duplicate* copy of the Form 47 must be submitted.

Certified copy of updated Notice of Articles

- An additional disbursement of \$25 must be paid.

Certified copy of Form 47 and updated Notice of Articles

- An additional disbursement of \$50 must be paid. A *duplicate* copy of the Form 47 must be submitted.

Uncertified online print of updated Notice of Articles

- Once the Form 47 has been filed, a search can be obtained at a cost of \$8.50 and an online print of the updated Notice of Articles obtained.

For further information, please contact our Victoria office at 250-405-6000, or toll free at 1-800-667-7767 or by email at info@wcts.com.

Land UPDATE

Priority Agreements

The Director of Land Titles recently issued a Practice Note dealing with the requirements for describing a priority agreement in Item 3 of a Form C. The Land Title Forms Guidebook indicates that “*Where the general instrument is intended to ...postpone a charge...enter a brief description of the nature of the transaction and the charges affected by it*”. The consensus now is that providing a detailed description of the priority agreement in Item 3 is basically a duplication of the granting language contained in the Terms of Instrument and could result in a greater potential for error.

Consequently, it is no longer necessary to reference the “prior charge” and the “subsequent charge” in Item 3 of the Form C. Simply state “Priority Agreement” in Item 3 and provide the applicable page and paragraph where the grant of priority is contained in the Terms of Instrument. By limiting the description of the priority agreement to the Terms of Instrument only, this will ensure there is always sufficient space to properly describe the grant of priority and should remove the potential for defect notices associated with errors in Item 3.

Letter Prefixes

The letter prefix used for paper documents in each Land Title Office did not change in 2010. It is the same letter prefix that has been used since 2007:

*Lower Mainland – BB
Kamloops – LB
Victoria – FB*

The letter prefix for electronic documents filed through EFS has not changed since 2004.

EFS - CA

West Coast UPDATE



Peggy Forrester In Memoriam 1949-2009

It is with great sadness that we announce the passing of our dear friend and colleague, Peggy Forrester. Peggy had retired from West Coast in March 2009, after 28 years of dedicated service with West Coast as a Manager in our Land Services department. Although we knew we would miss her cheerful personality, her team spirit and depth of experience, we wished her well in her plans for a happy and busy retirement.

Even though Peggy’s health was not good, her zest for life and living it to the fullest never waned. She was able to enjoy the first few months of her retirement doing the things she loved best – spending time with her family and travelling. Her dreams were often of the sparkling turquoise waters of the Caribbean, but it was her last trip to Ireland in June 2009 where she discovered the hypnotic magic of the emerald isle. She was already planning her next trip on the flight home!

But Peggy was never to make that next trip. She lost her battle with cancer on December 13, 2009.

We miss you...

Staff Anniversary

On December 12, 2009, **Sheila Mitchell**, Assistant Manager in our *Victoria* office, celebrated her **25th Anniversary** with West Coast. On behalf of Wayne Crookes, Owner/President and all the staff, we would like to congratulate Sheila for her many years of dedicated service and say:

"Thank You For a Job Well Done!"



Sheila Mitchell and Shelley Porter, General Manager

Asked & Answered ~ A MHR Question ~

Question:

Where do I obtain copies of Manufactured Home registration documents?

Answer:

To obtain copies of a Manufactured Home transaction, the first step is to contact the MH Registry to find out whether the transaction was registered online. Copies of documents registered online are not placed in the MH file at the Registry. If the filing was done online, the Registry will advise who the registering party was as the supplier must provide regular or certified copies for a specific fee, as set out in the Qualified Supplier contract, within 7 days.

If the transaction was a **paper** filing, West Coast can obtain copies of the documents from the MH file at the Registry. If the transaction was an **online** filing, we will contact the registering party to request document copies on your behalf.

"You asked. . . We answered"

Requests Via the Web

We invite you to check out our updated website at www.wcts.com and try our easy-to-use ONLINE services for sending in work requests and e-filings.

Our enhanced site features 6 filing and search forms that deal with *Corporate, Court/Process Serving, Land E-Filing, Land Search & Info, MHR/PPR* and *Miscellaneous*. The forms are web-based and require no download, just a simple login process.

Once your submitted work order has been accepted, you will receive an e-mail that includes the contact information of the staff member processing it.

Register at www.wcts.com/login or contact Cyndy Patterson in our Client Services department at 604-659-8610 or e-mail to cyndy@wcts.com.

Mousepads and Monitor Labels

If you would like to receive our 2-year calendar mousepad or 6-month monitor label, contact our Client Services department at 604-659-8610 or toll free at 1-800-553-1936.



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.

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