



The Register

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Court

UPDATE

New Rules Update

Since July 1, 2010, the Courts have been working diligently to make the transition to the new Supreme Court Civil and Family Rules smooth and consistent throughout all registries.

Procedures and Practices

Although procedural practice is still being developed, the following are some of the requirements under the new Rules that are being enforced:

- Filing deadlines are now determined by “business days” which are defined as “a day on which the court registries are open for business”.
- The filing deadline for Chambers material is now **4 p.m. on the business day that is one full business day before the date set for the hearing**. It is no longer by noon the day before. *For example*, if the hearing is set for Wednesday, then the Application/Petition Records must be filed by 4 p.m. on Monday.
- All Chambers applications require an Application Record, regardless of the time estimate. In *New Westminster*, the only exception is an Application *Without Notice*.
- Although the flowcharts developed by the Ministry of Attorney General indicate that two Application Records are required, the Courts only accept one copy and will not stamp a second copy.

- The Courts have advised that it would be helpful to them if a loose filed copy of the Notice of Application/Notice of Hearing/Requisition(re-setting) be submitted along with your Application/Petition Records.
- Trial Division requires that all documents which set down a hearing date must include contact information for all parties, even though several of the new forms do not reflect this.
- Court will only sign a CPL Form 33 dealing with Family matters if it references the new Family Rule 22-8. (*See Land Article on page 2*)

Service Deadline Changes

Under the new Rules, the deadlines for service have changed from “days” to “business days”. This means that Supreme Court Civil and Family application documents must be served at least **8 business days** before the date set for the hearing of the application. In the case of an application under Civil Rule 9-7 and Family Rule 11-3, documents must be served at least **12 business days** before the date set for the hearing of the application.

West Coast will continue to list additional changes issued by the Courts under “Updates” on our website www.wcts.com. Older memos and links may be accessed under “Registry News & Updates” or “Handouts & Links”, or contact our Client Services department at 604-659-8610 or 1-800-553-1936 or email to cyndy@wcts.com.



Land

UPDATE

New CPL Forms

The Director of Land Titles has now approved the new forms of Certificate of Pending Litigation(CPL) for use in applications filed under sections 215(1),(5),(6) and (7) of the *Land Title Act* effective September 1, 2010.

The new forms were required as a result of the new Supreme Court Civil and Family Rules that became effective July 1, 2010. The new CPL forms may be filed in **paper** form or as supporting documents in **electronic** form.

Form 31 - Section 215(1)

The only change made to the **Form 31** (dealing with *an estate or interest in land*) was to amend the note regarding fees at the bottom of the form, by deleting the reference to the *Repairer's Lien Act*.

Form 32 - Section 215(5) and Form 34 - Section 215(7)

In the new version of the **Form 32** (to enforce *a restrictive covenant or building scheme*) and the **Form 34** (dealing with proceedings under the *Wills Variation Act*), "**action**" has been changed to "**proceeding**" to be consistent with the terms used in the new Supreme Court Civil Rules.

Form 33 - Section 215(6)

The new version of the **Form 33** (dealing with proceedings under the *Family Relations Act*) now includes a reference to Supreme Court **Family Rule 22-8**, and changes the party titles to "**Claimant**" and "**Respondent**" to be consistent with the terms used in the new Notice of Family Claim.

The new CPL forms may be accessed at the LTSA website at www.ltsa.ca/land-title/forms-for-manual-filing or on our website www.wcts.com under "**Handouts & Links**", then "**Land**".

New Customer Service Centre

Effective November 1, 2010, the Land Title and Survey Authority (LTSA) will launch a **Customer Service Centre**, located in the *New Westminster* Land Title Office, for all customer inquiries **province-wide**. Rather than contacting the individual Land Title Offices, or the Office of the Surveyor General, all queries pertaining to general information, including land title and survey practice and policy matters, should be made to the Customer Service Centre telephone number at **1-877-577-5872**.

By centralizing customer inquiry functions, it is anticipated that the Customer Service Centre will improve the LTSA's service response times and promote service consistency.

The Centre will operate Monday to Friday from **8:00 a.m. to 4:30 p.m.**, *except for statutory holidays*. The hours of operation of the Land Title Offices and Office of the Surveyor General will not change.

For all queries concerning **BC OnLine**, contact the BC OnLine Help Desk at 1-800-663-6102 or 250-953-8200.

Vital Statistics

UPDATE

Wills Notice Searches

Vital Statistics branch is no longer accepting Wills Notice search requests signed by West Coast as agent *unless a death certificate is attached to the request*. An authorization for West Coast to pick up the results is still required. A faxed or e-mailed copy of the death certificate and authorization is acceptable, *but only when submitted by an agent*.

Reminders:

- The lawyer/notary **must** sign section B of the *Application for Search of Wills Notice*.
- Section C must be completed with the *date of birth(or age)* of the deceased person.

Victoria

UPDATE

Office Consolidation

The Land Title and Survey Authority recently announced that its corporate office, Surveyor General Division and Victoria Land Title Office are moving to a new consolidated location in the Atrium building on Blanshard Street.

The move will be conducted in two phases, with the corporate headquarters and Surveyor General Division move first, followed by the Land Title Office.

Please update your records with the following new information for the various offices.

Phase 1

Effective September 20, 2010

Corporate Office and Surveyor General Division

Land Title and Survey Authority of BC
Suite 200 - 1321 Blanshard St.
Victoria, BC V8W 9J3

Tel: 250-387-7280

Phase 2

Effective October 18, 2010

Victoria Land Title Office

Street Address:

Suite 110 - 1321 Blanshard St.
Victoria, BC V8W 9J3

Mailing address:

Land Title and Survey Authority of BC
Suite 200 - 1321 Blanshard St.
Victoria, BC V8W 9J3

BC Gazette

U P D A T E

Schedule Changes for Fall 2010

The normal deadline for submissions to the BC Gazette is **1:30 p.m. each Tuesday** but statutory holidays sometimes alter this schedule. Upcoming deadline changes for the rest of 2010 are:

Monday - November 8

Printing - Wednesday, November 10
Pick-up - Friday, November 12

Friday - December 24

Printing - Thursday, December 30
Pick-up - Friday, December 31

For copies of the Insertion Rates or the Deadlines and Publishing Schedule, please visit the BC Gazette website at www.publications.gov.bc.ca/bcgazette.aspx or call our Victoria office at 1-800-667-7767 or 250-405-6000.

BC Registries

U P D A T E

Phone Service Reduced

On August 3, 2010, BC Registry Services reduced the hours of telephone coverage to **10:00 a.m. until 3:00 p.m.** for all *Corporate, Manufactured Home* and *Personal Property* Registries unit information numbers. This includes staff personal telephone numbers and all direct dial lines from MetroVancouver.

Summer vacations and the recent loss of additional employees have affected the registry's service levels. It was felt that reducing the hours of telephone coverage would allow staff more dedicated time to examine and file the numerous paper filings that are received.

The hours of telephone coverage will be reviewed in the fall.

Staff Anniversaries

On July 3, 2010, **Gertrudes Tabisula**, Messenger, in our *Vancouver* Office, celebrated her **15th Anniversary** with West Coast.



Gertrudes Tabisula and Wayne Crookes, Owner/President

On May 1, 2010, **Dianne Langdon**, Land/Court Agent, in our *Victoria* office, celebrated her **10th Anniversary** with West Coast.



Shelley Porter, General Manager and Dianne Langdon

On behalf of Wayne Crookes, Owner/President and all the staff, we would like to congratulate both Gertrudes and Dianne for their many years of dedicated service.

"Thank You For a Job Well Done!"



Asked & Answered ~ A Land Question

Question:

Who qualifies as an Officer for the execution of Land documents?

Answer:

An Officer is a person authorized by the *Evidence Act* to take affidavits.

- S. 60 of the *Evidence Act* lists all persons who, because of their office or employment, are acceptable **commissioners for taking affidavits for British Columbia**. This includes barristers and solicitors and notaries public in British Columbia(s.60 (d),(e)).
- S. 63 of the *Evidence Act* defines who may swear affidavits **outside British Columbia for use in British Columbia**. This includes notaries public anywhere in the world(s.63 (f)), and barristers and solicitors in Canada and other Commonwealth countries because they are recognized as “*officers of a court of justice*”(s.63 (a)). Commissioners outside of British Columbia are not acceptable officers, unless they take an affidavit in their capacity as “*Commissioner authorized to administer oaths in the courts of justice of (specify country, etc.)*”(s. 63(a)).

“You asked. . . . We answered”

Online Services

Try our easy-to-use **online** services for sending in work requests, e-filings and requesting pick-ups at your office. You will receive a confirmation e-mail, **within 15 minutes**, that your request has been received, and it will contain the contact information of the staff member who has accepted your request.

To receive your registration ID for access to our website, please either complete the First Time Registration section at www.wcts.com/login/ or contact our Client Services department at 604-659-8610 or 1-800-553-1936 or e-mail to cyndy@wcts.com.

Online Pick-up Requests

You can now request a pick-up at your office, or arrange a courier in the downtown Vancouver area, by using our website.

To place your pick-up request online, simply enter your e-mail address and password into the *Client Login* screen(www.wcts.com/login/), select *Pick Up Request*, press *Login* and complete the form.

An e-mail notification will advise you that your request has been received by our staff once it has been logged in.

Help Us Go Green

If you would like to receive our newsletters and updates **via e-mail**, please contact Cyndy Patterson in 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.

Skip Tracing

Our in-house skip tracer is **Ed Lopez** with ten years experience in skip tracing and process serving. If you would like to discuss skip tracing or have any requests, Ed can be reached at 604-659-8720 or toll free at 1-800-806-2788. You may also reach him via e-mail at info@wcts.com.

Process Serving

West Coast has been doing process serving since 1969 and is one of British Columbia’s leading process serving firms. We can also handle all your process serving needs throughout Canada, the United States and internationally. Our Process Serving team is available for any questions or quotes, and can be reached at 604-659-8700 or toll free at 1-800-806-2788 or via e-mail at info@wcts.com.



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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