



The Register

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

NUMBER 81 / 11

REGISTRY SERVICES • PROCESS SERVING

MARCH 2011

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UPDATE

Required E-Filing

Posting Plans - July 1, 2011
Forms A, B + C - January 16, 2012

On March 11, 2011, the Director of Land Titles announced **Required E-filing** for certain Land Title documents and Posting Plans pursuant to section 168.111 of the *Land Title Act*. The requirement to e-file will be introduced in phases, with each phase specifying groups of similar application types that must be filed through the Land Title and Survey Authority's *Electronic Filing System* (EFS).

The requirement to e-file Posting Plans will take effect July 1, 2011. The requirement to e-file *Land Title Forms A (Transfer), B (Mortgage) and C (Charge and Release)* will take effect January 16, 2012.

Exceptions to **Required E-Filing** are outlined in an Announcement available through the LTSA website www.ltsa.ca, or by contacting Cyndy Patterson in our Client Services department at 604-659-8610 or 1-800-553-1936 or e-mail to info@wcts.com.

The content and timelines for subsequent phases of **Required E-filing** are expected to be announced in the Fall of 2011. Upon completion of all phases, most documents and plans will be filed electronically, with a small number filed manually in paper form.

West Coast Can E-File For You

It is important to keep in mind that even with **Required E-Filing**, *there is no requirement for you to file electronic documents yourself.*

There are many benefits to having West Coast assist you with electronic filing:

- We are conversant and up-to-date with LTO practices and procedures necessary for successful registration of your electronic documents;
- We will conduct a thorough pre-inspection of your electronic documents (**whether or not you request a pre-index**) and advise you of any errors or omissions;
- We can disburse Property Transfer Tax on your behalf, if required. Our **minimum** fee is \$12. Our **maximum** fee is \$150 (*including amounts over \$500,000*).
- We will *Keep You Informed* of any changes in electronic forms or new EFS requirements.

How to E-File through West Coast

It is a simple, straightforward procedure to e-file your electronic documents through West Coast.

- Visit us at www.wcts.com/login to register to use our *Land-E-Filing* form or other request forms. All of our online forms are web-based and require no download, just a simple login process,

or

- E-mail your filing instructions, title search and documents (*in PDF format*) to info@wcts.com.



EFS Requirements

West Coast is happy to assist you with electronic filing, but first you must prepare the electronic documents.

Digital Signature

The first step to prepare for electronic filing is to obtain an **electronic digital signature**. A digital signature is issued by Juricert (www.juricert.com) through the Law Society of British Columbia to *BC lawyers, notaries public, and land surveyors*.

Land Registry Agents cannot apply for a digital signature, but we can file the digitally signed documents on your behalf.

Electronic Land Title Forms

Documents to be filed electronically must be prepared using the PDF form templates which are available through BC Online (www.bconline.com). Once you have signed on, select "Land Title & Survey Auth", click on "EFS-Management" and choose "Download Form Templates".

New versions of the electronic forms are introduced on a regular basis.

Minimum Systems Requirements

The **minimum** systems requirement for EFS is **Adobe Acrobat Version 8**. The LTSA recommends EFS customers upgrade to Version 9 or 10 as future versions of the electronic filing forms will only support Adobe Acrobat Version 8 or higher.

User Guides

A two hundred page EFS User's Guide is available through the Land Title and Survey Authority website www.ltsa.ca. Click on "Electronic Filing System" in the [blue](#) banner box and then select "User Guides and Publications" in the [green](#) banner box.

Updated versions of the EFS User's Guide and other Help Guides are issued on a regular basis.

Support Documents for EFS Forms

When supporting documentation is required with an electronic *Form A, Form B* or *Form C (Charge or Release)*, it should not be attached to that form. Rather, it should be attached to an electronic *Form Declaration* and filed immediately behind the document it supports. The Form Declaration will then be appended to that document.

Some of the more common support documents submitted with electronic Forms A, B and C are:

- Trust Agreements
- Court Certified Orders appointing a Committee
- Corporate Certificates for Non-BC Companies

*When attaching an image of a supporting document, the electronic Form Declaration contains the necessary statements that the subscriber who affixes his/her digital signature has the **original**, or where designated by the Director of Land Titles, a **true copy** of the supporting document in his/her possession.*

Withdrawal of Caveat

Most caveats expire two months after the date of lodging. However, a caveator may *withdraw* the caveat at any time prior to the expiration date.

The form for a withdrawal of caveat is Form 39. The Form 39 may be signed by the *caveator*, the *personal representative* of a deceased caveator or, if the caveat was signed by a solicitor, by that *solicitor*.

If the Form 39 is not signed by a solicitor, *Officer Certification* will be required. Although the Form 39 does not show Officer Certification on it, the notes at the bottom of the form indicate that where the withdrawal is executed by the caveator or the caveator's personal representative, *the signature must be witnessed and the execution proved in the manner prescribed by Part 5.*

New LTSA Registrars

Effective February 28, 2011:

Carlos R. MacDonald, LL.B. has been appointed as Registrar of the *Victoria LTO*.

Larry S. Blaschuk, LL.B., current Registrar of the *New Westminster LTO*, has also been appointed as Registrar of the *Kamloops LTO*.

Court UPDATE

CSO Filing Tips

Requisitions

The CSO system automatically charges \$80 for any Requisition filed. However, depending on the purpose, the fee to be deducted (\$0 - \$200) must be manually adjusted to show the correct amount prior to submission, or the default fee of \$80 will be charged.

Errors in Content

Due to extreme staff shortages, New Westminster Court does not check e-filed documents for content, just form; for example, the *action number* will be confirmed but not the *style of cause*. There was a recent situation where a Default Order was granted through electronic filing even though the style of cause was incorrect. The subsequent Certificate of Judgment, which is always manually filed, continued the mistake in the style of cause and was declined. Counsel had to do a Slip Rule Order at a cost of \$80 to rectify the situation.

West Coast Can E-File For You

West Coast always conducts a thorough review of your documents to ensure they meet with current Court practices and standards. *This means we would have noticed the above noted problems and rectified them before submission, thereby saving you both time and money.*

Process Serving UPDATE

Procedures and Deadlines

West Coast is a leader in process serving with a success rate over 80% in serving documents in the Lower Mainland in three attempts or less.

Depending on the time of receipt, documents to be **filed and served**, are filed the same day in most Court Registries with the exception of some suburban Provincial Courts and Courts located outside of Metro Vancouver. We make every effort to have documents that are to be filed, and then served, completed as early as possible so that they can be forwarded to our Process Serving department promptly.

Our Process Serving department prioritizes all files they receive by the **limitation date** of the document, or by **special instruction** noted on the invoice. If there are limitation dates or other special instructions that demand shorter turnaround times, we must be advised of the **specific deadline** required as "Rush", "Urgent" and "ASAP" can be ambiguous.

The more advance notice we are given, and the earlier your documents arrive in our **Vancouver** office, the easier it will be to meet your service deadlines.

Service Within 24 Hours

If your service deadline is **within 24 hours** of arriving in our Process Serving department, a Rush fee of \$30 will be charged, *in addition to our regular fees*. This surcharge does not include wait time, which is billed at \$100 per hour.

If no Rush perimeters are involved, our standard, "**40/60/80 Flat Rate Process Serving Plan**" fees for basic services will apply.



Staff Anniversaries

On March 2nd, 2011, **Marian Bragg**, who works in our *New Westminster* Front Office/Reception, celebrated her **30th Anniversary** with West Coast.

On March 12th, 2011, **Theo Donnelly**, Land Search Agent and Fleet Maintenance Coordinator in our *New Westminster* office, celebrated his **10th Anniversary** with West Coast.



On behalf of Wayne Crookes, Owner/President and all the staff, we would like to congratulate Marian and Theo for their many years of dedicated service and say:

"Thank You For a Job Well Done!"



Marian Bragg and Wayne Crookes, Owner/President



Theo Donnelly and Wayne Crookes, Owner/President

Asked & Answered ~ A Vital Statistics Question

Question:

My client needs a passport. How quickly can I get a birth (or marriage) certificate?

Answer:

- The Vital Statistics Branch will accept a faxed/emailed application via an agent for a birth or marriage certificate; it must be signed by an authorized party. Authorized parties are noted on the back of each application form. **Note:** Solicitors are not authorized parties.
- Vital Statistics also offers a 24-hour *priority service*, provided all information on the form matches their database. In addition to the regular fee of \$27, there will be an extra fee of \$33 for the priority service (Total: \$60).
- Vital Statistics does not allow for pick up of certificates. Once the certificate has been generated, the document will be couriered to the address noted under "Applicant". This process takes at least 3 days.

"You asked. . . . We answered"

**Corporate
UPDATE**

Partnerships & Proprietorships

The Corporate Registry is developing a new web-based application for *partnerships* and *proprietorships*. This new application will allow the Corporate Registry to automatically request a Business Number from the Canada Revenue Agency when registering a partnership or proprietorship. The Canada Revenue Agency will generate the Business Number to send to the Corporate Registry for notification to the business.

It is anticipated implementation of this new application will be early April 2011.

Other Registry Services

West Coast is a full-service registry agent. We deal with over 200 government registries in the Lower Mainland and Victoria. Outside these areas, we have *national* and *international* contacts to handle your registry work for elsewhere in British Columbia, Canada and beyond.

Calendar Pads and Monitor Labels

Calendar pads, imprinted with two year calendars for 2011 and 2012, and self-sticking **monitor labels** for January–June 2011 were distributed earlier this year.

Rather than the traditional blue vinyl mousepad we have distributed in past years, we decided to try a paper, strip-away pad that has proven very popular.

If you did not receive a calendar pad or monitor label, or would like additional ones, 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.

Newsletters and Updates

Our Newsletter and Updates from various Registries are posted on our website at www.wcts.com.

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 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.

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