



# The Register

The Newsletter of West Coast Title Search Ltd.

NUMBER 89 / 13

REGISTRY SERVICES • PROCESS SERVING

AUGUST 2013

## In This Issue

### Court Update

Court Reminders.....	2
Hearing Records.....	1
Turnaround Times.....	2

### Land Update

2013 Green Book.....	2
Change of Name.....	3
Printing Issues Resolved.....	3
Semicolons on EFS Forms.....	3

### Process Serving

Successful Services.....	2
--------------------------	---

### Victoria Update

Community Contribution Companies.....	3
NWPTA Enhancement.....	3
Vital Statistics Authorization Forms.....	3

### West Coast Update

Staff Anniversaries.....	4
Upcoming 2013 Statutory Holidays.....	4

## COURT UPDATE

### Hearing Records

As part of the Amendments to the Supreme Court Rules that came into effect on July 1, 2013, a *Hearing Record must be provided for all Registrars' hearings that were commenced by the filing of an Appointment.*

A Hearing Record must be provided to the Registry where the hearing is to take place, no later than 4 p.m., on the business day that is *one full business day* before the hearing date.

### Contents of Hearing Record

Rule 23-6(3.1) of the Supreme Court Civil Rules and Rule 22-7(3.1) of the Supreme Court Family Rules, both in effect July 1, 2013, stipulate that Hearing Records must:

1. be in a ring binder or some other form of secure binding;
2. contain the following, in consecutively numbered pages or sections separated by tabs, *in the order specified below*:
  - a. Title page listing the style of proceedings, names of lawyers, if any, for applicant and persons served with Appointment;
  - b. Index;
  - c. Copies of filed Appointment and all documents filed with that Appointment;

- d. Copy of filed Affidavit of Service of the Appointment but without the exhibits;
- e. Copies of the Reasons for Judgment on which the Order is based and a transcript of the Order made, or clerk's notes from the hearing *if the Appointment is to settle an Order* (Civil Rule 13-1 or Family Rule 15-1);
- f. Copy of the entered Order for costs *if the Appointment is to assess costs* (Civil Rule 14-1 or Family Rule 16-1);
- g. Copy of the entered Order referring the matter to the Registrar *if the Appointment is for a reference to the Registrar* (Civil/Family Rule 18-1), and
- h. Copies of every filed Affidavit, pleading, and other document, to be relied on at the hearing.

Hearing Records must not contain:

1. written argument;
2. copies of authorities, including case law, legislation, legal articles or excerpts from text books, or
3. any other documents, unless they are included with the consent of the applicant and the respondents.

Hearing Records may contain:

1. a draft of the proposed report or certificate, and
2. a list of authorities.

*If you have any questions regarding the new requirements, please contact our Court Departments.*

## Court Reminders

- If a matter is to be heard at an alternate Registry, all documents are filed in the home Registry, *except the binder*, which is filed in the Registry hearing the matter.
- Unless a Short Leave requisition provides an exemption to the binder filing deadline, the Rule applies; otherwise, the application will be struck from the list.
- All orders, whether manually filed or e-filed, can only be certified by the Registry in which the action was filed.
- **New Westminster** - When resubmitting a probate package, the **original** rejection sheet must be included, *not a photocopy*.

## Turnaround Times

Manual and e-filing are affected by Court location, volume of work and staff shortages. Currently, this is causing longer than usual turnaround times:

<b>New Westminster</b> <small>(as of Aug 6/13)</small>	
<b>Family</b> • Desk Order • E-Filed • Resubmissions	May 5 May (first week) June 7
<b>Probate</b> • Applications • Resubmissions	May 10 July 23
<b>Requisitions</b> • E-Filed (except for Trial Scheduling)	2 days (or more)
<b>Orders</b> • Consent	1 - 2 days
<b>Vancouver</b> <small>(as of Aug 12/13)</small>	
<b>Family</b> • Desk Order	June 13
<b>Orders</b> • Consent/Desk Order • Heard Orders • Default Orders	July 2 July 2 June 24
<b>Probate</b> • Applicatons	June 24

Note: *Requisitions that are time sensitive should be manually filed.*

# PROCESS SERVING

## Successful Services

By providing the process server with as much information as possible, your service will be effected in a more timely manner.

There is never “too much information” when it comes to process serving. Knowing some, or all, of the following information can greatly increase the chance of a successful service:

### Individuals:

#### Basic Information:

- What is the party’s *gender, age and physical description*? A photograph is the best way to identify a party being served, especially an evasive party.
- Where do they work? What time do they leave home/work?
- What is the intercom code for the apartment building? Do they live with someone - if so, what is their name(s)?
- What do they drive? Where do they usually park?

#### Additional Information:

- Do they use a nickname or an alias? For example: if their name is “John William Doe”, do they go by “Jack” or “Bill”?
- Does the party have a *history* (e.g., are they on parole or of a violent nature)?
- Were they served previously? If so, where?
- Do they play sports or frequent a particular place? A favorite haunt may be more helpful to know than their home address.

### Companies

*A Company search is a valuable tool.*

- Registered Office addresses can be box numbers, residential

addresses, chartered accountants’ offices, law firms or a business operating under another name. By having a Company search, we have more accurate information for locating the party to be served.

- If the Company is dissolved, we can serve a Director named on the Company search.

Successful process serving relies on intuition, interpersonal skills, and sometimes plain old-fashioned luck.

*The more information you provide, the more effective we can be at performing your services in a timely manner.*

# LAND UPDATE

## 2013 Green Book

The 2013 edition of the *Land Title Electronic Forms Guidebook* (the “Green Book”) is now available from the Continuing Legal Education Society of British Columbia (“CLE”). This step-by-step guide to completing the electronic Land Title Forms is an invaluable tool for meeting the general requirements of the Land Title and Survey Authority. Examiners review all electronic documents according to these guidelines.

The updated and expanded sixth edition of the Green Book features:

- a section on **Form Fields** as well as **Completion Instructions** for each electronic land title form ;
- a new chapter titled *Local Government Filing Form* (for use by local governments as part of the “Authorized Subscriber Register” initiative), and
- a new chapter titled *Claim of Lien Form (Builders Lien Act)*.

The Green Book may be ordered online from CLE at [www.cle.bc.ca](http://www.cle.bc.ca). The cost is \$75.00 + applicable taxes.

## Change of Name

To file a Change of Name for an **individual**, primary evidence showing the name change(s) must be provided. Only Vital Statistics certificates should appear in support of change of name applications, for example, **Birth Certificates, Marriage Certificates, or Change of Name Certificates.**

Inappropriate identification such as Passports, Driver's licenses, Care cards, SIN cards, Citizenship cards, etc. are not acceptable and, if submitted, a Defect Notice will be issued requiring that these be removed.

## Semicolons on EFS Forms

When completing the **Transferee/Lender** section on the Land Title EFS forms, **individuals'** names and occupations must be entered with the *given name(s), family name and occupation* separated by **semicolons**. When the digital signature is affixed or when the document is printed, the semicolons will be replaced by commas.

If there is insufficient space in the Transferee/Lender section and the information is entered on a Form E Schedule, **do not use semicolons on the Form E**, as the semicolons will not be replaced by commas.

## Printing Issues Resolved

Effective March 25, 2013, the format of land title information found on title searches, State of Title Certificates (STCs) and Duplicate Certificates of Title (DCTs) was changed to a new pdf format. Initially, there were issues associated with printing the information in the new format but those issues were resolved in mid-May. All title searches, STCs and DCTs are now printed in the new format.

**Register for our online services:**

[www.wcts.com/login/get\\_code.php](http://www.wcts.com/login/get_code.php)

## VICTORIA UPDATE

### Community Contribution Companies

Effective July 29, 2013, you will be able to incorporate *community contribution companies*, a new hybrid type of company that combines socially beneficial purposes with a restricted ability to distribute profits to shareholders. These companies will be incorporated with the flexibility and certainty of regular companies, but will primarily benefit the community by investment in the social enterprise sector.

For information on community contribution companies, refer to *Bill 23-2012, Finance Statutes Amendment Act, 2012*. In particular, refer to section 8, adding Part 2.2 – Community Contribution Companies to the *Business Corporations Act*.

### NWPTA Enhancement

Effective July 1, 2013, BC Registry Services implemented changes to support the streamlining of extra-provincial registrations of limited partnerships, limited liability partnerships and cooperative associations between *British Columbia, Alberta and Saskatchewan* under the **New West Partnership Trade Agreement (NWPTA)**. These changes simplify, and in some cases eliminate, extra-provincial registrations and filings between the three provinces.

Information and paper forms for extra-provincial registration of limited partnerships, limited liability partnerships and cooperative associations between the partner provinces under NWPTA are available on the BC Registry Services' website at [www.bcregistryservices.gov.bc.ca/bcreg/corppg/nwpta/index.page](http://www.bcregistryservices.gov.bc.ca/bcreg/corppg/nwpta/index.page).

## Vital Statistics Authorization Forms

Most requests to Vital Statistics require an authorization form to be completed by either the lawyer or a party to the event. The requirements are as follows:

### Birth Certificate

The authorization form allowing West Coast to handle the work must be signed by an authorized person (as listed on the back of the Birth Certificate Application form).

### Marriage Certificate

The authorization form allowing West Coast to handle the work must be signed by a party to the marriage or an authorized person (as listed on the back of the Marriage Certificate Application form).

### Death Certificate

West Coast can sign on behalf of our clients when requesting a Death Certificate.

### Wills Notice Search

If the Wills Notice search is being requested using a Death Certificate in support, West Coast can sign the application in Section A. Otherwise, Section B of the Wills Notice search application, and an authorization form to allow West Coast to handle the work, must be signed by the lawyer.

### Living Wills Notice Search (a search of Wills notices for a living person)

Section B of the Wills Notice search application must be signed by the lawyer, and an authorization form to allow West Coast to handle the work must be signed by the party on whom the search is being done.

### Where to Obtain Forms

Vital Statistics application forms can be found at: [www.vs.gov.bc.ca/forms/index.html](http://www.vs.gov.bc.ca/forms/index.html)

The West Coast authorization form can be found on our website at: [www.wcts.com/documents/VSConsent-joint.pdf](http://www.wcts.com/documents/VSConsent-joint.pdf)

# Staff Anniversaries

West Coast is very pleased to announce that 2 staff members have recently celebrated significant anniversary milestones. On behalf of Wayne Crookes, Owner/President and all the staff, we would like to congratulate Brad and Ed for their many years of dedicated service and say:

*“Thank You For a Job Well Done!”*

*Brad celebrated 10 years with West Coast on April 14<sup>th</sup>, 2013*



*Wayne Crookes and Brad Fraser (Process Server)*



*Ed celebrated 10 years with West Coast on July 9<sup>th</sup>, 2013*



*Eduardo Lopez (Skip Tracer) and Wayne Crookes*

**Upcoming 2013 Statutory Holidays**

September 2	Monday
<b>Labour Day</b>	
October 14	Monday
<b>Thanksgiving Day</b>	
November 11	Monday
<b>Remembrance Day</b>	
December 25	Wednesday
<b>Christmas Day</b>	
December 26	Thursday
<b>Boxing Day</b>	



**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.**

Website: [www.wcts.com](http://www.wcts.com)  
Email: [info@wcts.com](mailto:info@wcts.com)

99 Sixth Street  
**New Westminster**, BC V3L 5H8  
604-659-8600 Fax 604-525-2593  
Toll Free: 1-800-553-1936

840 Howe Street - Suite 100  
**Vancouver**, BC V6Z 2L2  
604-659-8700 Fax 604-682-5793  
Toll Free: 1-800-806-2788

1207 Douglas St - Suite 512  
**Victoria**, BC V8W 2E7  
250-405-6000 Fax: 250-383-1614  
Toll Free: 1-800-667-7767

**Caution** - While every effort has been made to verify the accuracy of this newsletter, neither West Coast Title Search Ltd. nor the authors are providing legal or other professional advice through this publication, and it should never be relied upon without reference to the relevant legislation, case law, administrative guidelines and other primary sources.

