



# The Register

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## LAND UPDATE

### Scan on Demand

Previously, when documents were ordered online, if a document was available, the document number would be checked and you would be prompted to “Purchase” all checked documents. If the document was not yet imaged, you would be advised to “Obtain at LTO”.

Effective March 20, 2017, when you order documents online, all document numbers will be checked and you will be prompted to “Purchase” all checked documents, **even if all documents are not yet imaged.**

If a document is not imaged, the screen will now show “Scan on Demand” rather than “Obtain at LTO”. This means that the LTO will retrieve the document from the microfiche tapes and scan it to the image system so that an imaged copy of the document can be provided. **Note:** Documents and Plans that are **pending** are not available for *Scan on Demand*.

### Scan on Demand Costs

The fee for *Scan on Demand* is \$50.18

Each document has a \$15.18 *Retrieval of Images* fee, plus the \$35.00 *Manual Location and Retrieval of Record* fee plus a taxable online service charge of \$1.50 plus GST.

Depending on the number of documents ordered through *Scan on Demand*, this can end up being quite costly.

### Scan on Demand Delays

Documents that are imaged already will be sent to you immediately. Documents that must be scanned first will be delivered as they become available.

Due to the high volume of land title *Scan on Demand* requests, current processing times may take **up to one (1) business day**.

### Scan on Demand is not Mandatory

You still have the option to have West Coast obtain a document that is not yet imaged from the microfiche tapes.

The advantages to obtaining a microfiche document rather than a scan on demand are **faster turnaround times** and **lower costs**.

The West Coast fee for a microfiche document will range from a *minimum* of **\$21.00** to a *maximum* of **\$30.00** (depending on the number of pages), plus a nominal email fee of \$3.00 per invoice, plus GST.

Depending on the number of documents requested, we should be able to email all of your documents, at the same time, within 1 to 1½ hours of receiving the request.

*WCTS' fee for obtaining a microfiche document will always be lower than the Scan on Demand fee.*

## Electronic Forms

### New Forms

New versions of 4 electronic form templates were introduced effective March 20, 2017:

- Form C - *Charge* (Version 22)
- Form 17 - *Fee Simple* (Version 12)
- Form 17 - *Charge* (Version 13)
- Form 17 - *Cancellation of Charge, Notation or Filing* (Version 14)

### Old Forms to be Retired

The following versions of Land Title Forms will be retired on October 2, 2017:

- Form A - *Transfer* (Version 21 and 22)
- Form B - *Mortgage* (Version 21 and 22)
- Form C - *Charge* (Version 20 and 21)
- Form C - *Release* (Version 21)
- Form 17 - *Fee Simple* (Version 11)
- Form 17 - *Charge* (Version 12)
- Form 17 - *Cancellation of Charge, Notation or Filing* (Version 13)

Previous versions of the above noted forms will still be accepted until they are officially retired on October 2, 2017. After that date, an electronic form submitted using a retired version of the form will only be accepted *if the form was executed by the transferor prior to that version of the form being retired.*

Current versions of the electronic forms can be downloaded from the LTSA's website at [www.ltsa.ca/cms/electronic-form-templates](http://www.ltsa.ca/cms/electronic-form-templates) or from the *Download Form Templates* screen under *Administration* in the blue bar at the top of the Land Title & Survey page on myLTSA.

Register for our  
online service forms:

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

## E-Filing CPLs

On March 1, 2017, the Land Title Office announced that **Certificates of Pending Litigation (CPLs)** could no longer be filed at a Land Title Office in hardcopy form and must be electronically filed.

To e-file a Certificate of Pending Litigation in Land, the originally signed CPL form and filed Court documents must be attached to an **electronic Form 17**, digitally signed by a Notary Public or Solicitor and submitted online **before 3:00 p.m.**

To eliminate the need for you to learn the LTSA e-filing system and to ensure a **faster turnaround time**, West Coast will *manually* file your documents in Court and then *e-file* the CPL in Land.

### Same Day Filing

If Court documents are received in the appropriate West Coast office in sufficient time to file at the *Vancouver or New Westminster* Court Registries by **2:00 p.m.**, we can usually e-file the CPL in Land the same day, *depending on Notary availability.*

### Next Day Filing

If your Court documents arrive after 2:00 p.m., we will still file your documents in Court that day and prepare the CPL for e-filing the following morning.

### Special Requirements

For CPLs that must be filed on a **specific day**, please send to us at least one (1) day before your filing deadline.

For **Out-of-Area Court Registries**, including *Victoria*, please contact us in advance to determine the turnaround times.

## COURT UPDATE

### Small Claims Changes

#### Claims up to \$5,000.00

Starting June 1, 2017, civil claims up to \$5,000 will no longer be dealt with in the Provincial Court but instead will be resolved by a **Civil Resolution Tribunal (CRT)**. The CRT is an online tribunal that will offer dispute resolution services, in three phases: (1) **Negotiation** (2) **Facilitation** and (3) **Adjudication**. If the parties still cannot come to a resolution, a Tribunal member may make a decision that can be enforced like a court order in Provincial Court (unless either party files a notice of objection). For more information on the Civil Resolution Tribunal, the link is <https://www.civilresolutionbc.ca/>.

#### Claims between \$5,001.00 and \$10,000.00

In *Vancouver* and *Richmond*, Provincial Court Justice of the Peace Adjudicators will hold one hour **simplified trials** for cases with a monetary value of \$5,001.00 to \$10,000.00. In a simplified trial, the party or his lawyer states the facts, files any documents relied on, and responds to the other party.

#### Upper limit increased to \$35,000.00

The upper monetary limit of civil law disputes heard in Provincial Court will increase to \$35,000 (from \$25,000).

For copies of the Orders in Council dealing with these important changes, please visit our website at [www.wcts.com](http://www.wcts.com) or email our Client Services department at [cyndy@wcts.com](mailto:cyndy@wcts.com).

## Surrey Court Dates

Surrey Court has changed their policy regarding dates on a Family Court *Notice of Motion* and on a Small Claims *Application to a Judge*.

In the past, if the date was completed on the document, but was not available, the Registry staff would contact the law firm and find a new date that was acceptable. This is no longer the case.

If a *Notice of Motion* or *Application to a Judge* comes in with a date that is not available, the Registry staff will cross it out and put in the next available date. They recommend that you send a list of alternate dates with your document, in case your preferred date is full already.

If you are not available on the given date, you will have to request a change **prior to the service** of the document.

To request a change of date, **all** copies of the document must be returned to the Registry for the Court staff to change the date.

## Trial Records

The Courts are now enforcing Supreme Court **Civil Rule 12-3(2)** and Supreme Court **Family Rule 14-4(2)** requiring that *all Trial Briefs be included in Trial Records*.

### Civil Matters

The **Plaintiff's** trial brief must be filed **28 clear days** before the Trial Management Conference ("TMC"). To correctly determine 28 clear days, count the TMC as Day 1 and count back to today's date. If the number is **30 or higher**, you are within the filing window.

The **Defendant's** trial brief must be filed **21 days** prior to the TMC. To correctly determine 21 days, count the TMC as Day 1 and count back to today's date. If the number is **21 or higher**, you are within the filing window.

## Family Matters

Trial Briefs must be filed **7 clear days** prior to the TMC. To correctly determine 7 clear days, count the TMC date as Day 1 and count back to today's date. If the number is **9 or higher**, you are within the filing window.

**Note:** A Family Trial seeking **Divorce** must include a *Registrar's Certificate of Pleadings* with the Trial Record.

## Trial Certificates

West Coast has been advised by Tanya Dixon in *New Westminster* Court and Sue Smolen in *Vancouver* Court that, effective immediately, changes to the wording in Paragraphs 3 and 4 of Trial Certificates (**Civil Form 42 / Family Form 46**) are now being enforced. The Courts have not provided anything in writing concerning this. This information is based on verbal notification from the Director of Scheduling who was notified by Legal Counsel of the changes.

**Paragraph 3** of the Trial Certificate now has 3 acceptable options:

1. I have completed all examinations for discovery, or
2. I do not intend to conduct examinations for discovery, or
3. By order of the Court, examinations for discovery will be completed by \_\_\_\_\_.

**Paragraph 4** of the Trial Certificate now has 2 acceptable options:

1. A trial management conference has been conducted in this action (family law case), or
2. A trial management conference has not been conducted pursuant to a court order.

**Note:** A *Consent Order* cannot be filed. It must be spoken to in Court.

## CORPORATE UPDATE

### New Forms for Restorations

Corporate forms for a **Full Restoration** (Form 30) or a **Limited Restoration** (Form 28) were amended as per Section 355(2) of the *Business Corporations Act*. This section states that both the registered office of the company and all the directors at time of dissolution must be given notice by mail of the notice of application for restoration. The new Forms 28 and 30 must be used. The Corporate Registry is rejecting applications submitted on the old forms.

The new forms are available at: <http://www2.gov.bc.ca/gov/content/employment-business/business/managing-a-business/permits-licences/businesses-incorporated-companies/forms-corporate-registry/forms-bc-company>

## SOCIETIES ACT

### Transition of Restored Societies

Societies restored after November 28, 2016 must transition **within one year** from the date of restoration. If the post-restoration transition is not completed within this timeframe, a *Notice of Commencement of Dissolution* will be issued within a week of the one year anniversary date of the restoration of the Society with a scheduled dissolution of three months from that date.

**Note:** Societies pre-existing the November 28, 2016 *Societies Act* effective date have until November 28, 2018 to transition.

## Staff Anniversaries

West Coast is very pleased to announce that 2 staff members have celebrated significant anniversary milestones.

On behalf of Wayne Crookes, Owner/President and all the staff, we would like to congratulate **Judith Hellem** and **Taryn Brown** for their many years of dedicated service and say:

*“Thank You For a Job Well Done!”*



*Judith  
celebrated  
40 years on  
December 15, 2016*



Judith Hellem, *Front Office - New Westminster*, and Wayne Crookes



*Taryn  
celebrated  
15 years on  
February 11, 2017*

Taryn Brown, *Accounting Department*, and Wayne Crookes

## 2017 Court Breaks

During Court Breaks, there are a limited number of Courts open.

### Reading Break

*May 15 - 19*

### Spring Conference

*May 24 - 26*

### Fall Conference

*November 15-17*

### Winter Break

*December 27/17 - January 5/18*



**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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