



Common Documents Filed in Land Transactions

October 2009

The statutory conveyancing FORMS A to E came into effect on April 1st, 1990.

The FORM C - General Instrument replaced the FORM C - General Document on May 1st 1992. As a general rule, any instrument that creates a voluntary charge agreed to by the parties or that voluntarily releases a charge is in FORM C.

Many of the Land forms prescribed under B.C. Reg. 334/79 are still in effect from 1979. Other forms used in Land transactions are provided by statute under Acts other than the *Land Title Act*.

A list of Land transactions and the correct form to use is given below. The list is not exhaustive.

LAND TRANSACTION	FORM	SPECIAL NOTE
Agreement for Sale	FORM C	Registered as "Right to Purchase."
Assignment of a registered charge (also see Transfer of a registered charge)	FORM C	A Form 27 (transfer of mortgage) and a Form 28 (assignment of judgment) may also be used. The Form 27 and Form 28 must be filed with a "Form 17 Charge, Notation or Filing" for an Electronic filing .
Assignment of Rents - Release of Assignment of Rents - Transfer of Assignment of Rents	FORM B	If A/R included in Item 5(j) of mortgage.
	FORM C	If A/R is a separate document.
	FORM C	Cannot use Form 27 (transfer of mortgage)
Caveat - Withdrawal of Caveat	Form 38	A Form 17 is <u>not</u> required for a Paper filing . A "Form 17 Charge, Notation or Filing" is required for an Electronic filing .
	Form 39	A Form 17 is <u>not</u> required for a Paper filing . A "Form 17 Cancellation of Charge, Notation or Filing" is required for an Electronic filing . Note: The Form 39 may require officer certification. See instructions on the Form 39.
Certificate of Pending Litigation - Release of Certificate of Pending Litigation	Forms 31, 32, 33 & 34	A Form 17 may be part of the statutory form or may be a separate Form 17. A copy of the court document(s) by which claim is made must be attached. Note: The Certificate of Pending Litigation must be filed with a "Form 17 Charge, Notation or Filing" for an Electronic filing .
	See s.252-258 <u>LTA</u> for correct form of release	Filed with a Form 17 for a Paper filing or a "Form 17 Cancellation of Charge, Notation or Filing" for an Electronic filing . Note: Most common forms of release are Solicitor's letter (S.255 <u>LTA</u>) and Registrar's certificate (S.253 & 254 <u>LTA</u>).

LAND TRANSACTION	FORM	SPECIAL NOTE
Change of Address	Form 15	A Form 17 is <u>not</u> required for a Paper filing . A "Form 17 Charge, Notation or Filing" is required for an Electronic filing . Note: The Form 15 may also be signed by the solicitor or agent on behalf of the registered owners.
Change of Name	Doc evidencing name change	Filed with a Form 17 for a Paper filing or a "Form 17 Fee Simple" or a "Form 17 Charge, Notation or Filing" for an Electronic filing . Note: A PTT Return is required where the amalgamating company is a fee simple owner or an owner under a lease or a right to purchase .
Claim of Lien <i>(under the Builders Lien Act)</i> - Release of Claim of Lien	Form 5	Filed with a Filing Letter for a Paper filing . Note: There is an electronic form of the Form 5 for an Electronic Filing .
	FORM C	Note: If the claim of lien has effluxed (after 1 year with no court action having been commenced) you may release the lien by "effluxion of time" with just a Form 17 for a Paper filing or a "Form 17 Cancellation of Charge, Notation or Filing" for an Electronic filing .
Court Order - Fee simple by way of Vesting Order - Fee simple by way of Foreclosure Order	Court certified copy of Order	Filed with a Form 17 for a Paper filing or a "Form 17 Fee Simple" for an Electronic filing . Filed with a PTT Return. Note: Merge all charges that will fall under the Order
	Court certified copy of Order	Filed with a Form 17 for a Paper filing or a "Form 17 Fee Simple" for an Electronic filing . Filed with a PTT Return. Note: Merge all charges that will fall under the Order
Covenant (Restrictive or Section 219)	FORM C	See notes for Restrictive Covenant
Crystallized Floating Charge	Proof of crystallization (statutory declaration) and the instrument creating the charge (or with reference to the filing # of the document that creates the charge)	Filed with a Form 17 for a Paper filing or a "Form 17 Charge, Notation or Filing" for an Electronic filing .
Debenture	FORM B	
Declaration of Building Scheme	Form 35	A 'Form 17 Charge, Notation or Filing' is required for an Electronic Filing . Select " Statutory Building Scheme " for the nature of charge.

LAND TRANSACTION	FORM	SPECIAL NOTE
Duplicate Certificate of Title application	Form 22	A Form 17 is <u>not</u> required for a Paper filing . A "Form 17 Charge, Notation or Filing" is required for an Electronic filing . Note: Execution does not require officer certification.
Easement - Release of easement	FORM C	Dominant lands must be set out in Item 3 under "Person Entitled to be Registered as Owner" for a Paper filing and under "Additional Information" for an Electronic filing .
	FORM C	Dominant lands must be set out in Item 3 under "Description", e.g. Release of Easement # _____ appurtenant to " <i>Insert legal of dominant lands</i> " for a Paper filing and under "Additional Information" for an Electronic filing .
Equitable Charge other than a floating charge	FORM C	
Extension of a charge over other lands	FORM C	Only the extended lands are set out in Item 2.
Fee Simple - Transfer	FORM A	Filed with a PTT Return and Strata Form F if applicable
Indefeasible Title application by owner of absolute fee	Form 20	
Judgment - Assignment of judgment - Release of judgment	Certificate of Judgment	A Form 17 may be part of the certificate of judgment or may be a separate Form 17. The certificate of judgment must be attached to a "Form 17 Charge, Notation or Filing" for an Electronic filing . Note: Certificate of Judgment must be originally Court signed.
	Form 28 or FORM C	Form 28 requires officer certification. The Form 28 must be filed with a 'Form 17 Charge, Notation or Filing' for an Electronic Filing .
	FORM C	Note: If the judgment has effluxed (after 2 years if the judgment has not been renewed) you may release the judgment by "effluxion of time" with just a Form 17 for a Paper filing or a "Form 17 Cancellation of Charge, Notation or Filing" for an Electronic filing .

LAND TRANSACTION	FORM	SPECIAL NOTE
Land (Spouse Protection) Act Entry - Release of Land (Spouse Protection) Act Entry Note: These forms are provided in the Land (Spouse Protection) Act not the Land Title Act.	Forms A & B	A Filing Letter is <u>not</u> required for a Paper filing . A "Form 17 Charge, Notation or Filing" is required for an Electronic filing .
	Forms C & D	A Filing Letter is <u>not</u> required for a Paper filing . A "Form 17 Cancellation of Charge, Notation or Filing" is required for an Electronic filing .
Lease, Modification of Lease, Option to Lease or Renewal of Lease - Surrender of Lease	FORM C	PTT required for Lease and Renewal of Lease . PTT <u>may</u> be required for Modification of Lease .
	FORM C	Both parties must execute the FORM C or in Item 1 the applicant may sign "On behalf of the lessor – <i>insert name</i> ". Note: A Surrender of lease may have Terms attached
Life Estate	FORM C	Terms attached to FORM C set out the terms of the Life Estate. Filed with a PTT Return.
	FORM A	Item 5 of FORM A states "For the life of the transferee." The Life Estate will be registered as a charge . Filed with a PTT Return.
	FORM A & FORM 17	The Form A transfers the property at the same time reserves a life estate for the transferor. For a Paper filing , in Item 5, show "Fee Simple reserving to the Transferor a life estate" and concurrently file a Form 17 (Charge) to create the life estate. For an Electronic filing , in Item 5, select "Fee Simple with Exceptions and Reservations (SEE SCHEDULE)" and add "Fee Simple reserving to the transferor a life estate" on the FORM E attached to the FORM A and concurrently file a "Form 17 Charge, Notation or Filing" with "LIFE ESTATE - RESERVED IN FORM A" selected in Item 3. Note: Nothing is attached to the Form 17. Filed with a PTT Return.
Lis Pendens See Certificate of Pending Litigation		
Modification of a registered charge	FORM C	Both parties must execute the Form C.
Mortgage	FORM B	
- Assignment of Mortgage	FORM C	A Form 27 may also be used. The Form 27 must be filed with a 'Form 17 Charge, Notation or Filing' for an Electronic Filing .
- Extension of Mortgage over other land	FORM C	Only the extended lands are set out in Item 2.
- Modification of Mortgage	FORM C	Both parties must execute the FORM C.
- Release of Mortgage and its derivative charges	FORM C	
- Transfer of Mortgage	Form 27 or FORM C	Form 27 requires officer certification. The Form 27 must be filed with a 'Form 17 Charge, Notation or Filing' for an Electronic Filing .

LAND TRANSACTION	FORM	SPECIAL NOTE
Notice of Interest (<i>under the Builders Lien Act</i>)	Form 1	Filed with a Filing Letter for a Paper filing or a "Form 17 Charge, Notation or Filing" for an Electronic filing .
Option to Purchase - Release of Option to Purchase	FORM C or Form 17	If the Option to Purchase has effluxed, a statutory declaration to that effect by the RO can be filed with a Form 17 for a Paper filing or a "Form 17 Cancellation of Charge, Notation or Filing" for an Electronic filing .
Power of Attorney - Revocation of power of attorney	Form 1 or Form 2 under the <i>Power of Attorney Act</i> or Long Form of Power of Attorney Form 8	Filed with a Filing Letter for a Paper filing or a "Form 17 Charge, Notation or Filing" for an Electronic filing . Note: P of A Forms require officer certification and must be filed with a "To Wit" form for the acknowledgment by the attorney. A Form 17 is <u>not</u> required for a Paper filing . A "Form 17 Charge, Notation or Filing" is required for an Electronic filing . Note: Form 8 requires officer certification. An "unfiled" Power of attorney can be revoked by a Caveat.
Priority Agreement	FORM C or Form 24	Form 24 requires officer certification. The Form 24 must be filed with a 'Form 17 Charge, Notation or Filing' for an Electronic Filing .
Priority (Postponement) Agreement	Form 24 or FORM C	Form 24 requires officer certification. The Form 24 must be filed with a 'Form 17 Charge, Notation or Filing' for an Electronic Filing .
Release or discharge of most registered charges	FORM C	Exceptions: Where another form of release is prescribed under the <i>Land Title Act</i> or under any other enactment.
Release of any charge that can efflux	Form 17 for a Paper filing or a "Form 17 Cancellation of Charge, Notation or Filing" for an Electronic filing .	
Restrictive Covenant	FORM C	Dominant lands must be set out in Item 3 under "Person Entitled to be Registered as Owner" for a Paper filing and under "Additional Information" for an Electronic filing .
- Release of Restrictive Covenant	FORM C	Dominant lands must be set out in Item 3 under "Description", e.g. Release of Restrictive Covenant # ___ appurtenant to " <i>Insert legal of dominant lands</i> " for a Paper filing and under "Additional Information" for an Electronic filing .

LAND TRANSACTION	FORM	SPECIAL NOTE
Right of First Refusal	FORM C	
- Release of Right of First Refusal	FORM C	Note: If the Right of First Refusal has effluxed, a statutory declaration to that effect by the RO can be filed with a Form 17 for a Paper filing or a “Form 17 Cancellation of Charge, Notation or Filing” for an Electronic filing .
Right To Purchase	FORM C	Filed with a PTT Return.
- Release of Right to Purchase	FORM C	Filed with a PTT Return. Both parties must execute the FORM C.
S. 219 Covenant	FORM C	
Statutory Right of Way	FORM C	
Tax Sales Notice	Form provided by Municipality	The notice and the release are usually filed directly by the Municipality rather than by a Law Firm.
- Release of Tax Sales Notice		
Transfer of a registered charge (also see Assignment of a registered charge)	FORM C	A Form 27 (transfer of mortgage) and a Form 28 (assignment of judgment) may also be used. The Form 27 must be filed with a ‘Form 17 Charge, Notation or Filing’ for an Electronic Filing .
Transmission to surviving joint tenant	Document evidencing death	Filed with a Form 17 for a Paper filing or a “Form 17 Fee Simple” for an Electronic filing . Filed with a PTT Return - Claim Code 08 . Note: Most common document filed is the Death Certificate
Transmission to executor/administrator	Court certified copies: Letters Probate, or Letters of Administration & Disclosure Statement	Filed with a Form 17 for a Paper filing or a “Form 17 Fee Simple” for an Electronic filing . Filed with a PTT Return - Claim Code 09 .

LAND TRANSACTION	FORM	SPECIAL NOTE
PLAN APPLICATIONS (PAPER FILINGS)		
Application for Cancellation of Interior Lot Lines	Form 14	Filed with a 'Form 17 Charge, Notation or Filing' for an Electronic Filing .
Application to Deposit a Reference or Explanatory plan	Form 11A	In reference to a charge
Application to Deposit a Reference or Explanatory plan on the Consolidation of surveyed parcels	Form 11	In reference to a fee simple
Application to Deposit a Strata Plan	Form Z	Requires Forms V, W (optional) and X each with a Filing Letter.
Application to Deposit a Subdivision plan	Form 10	

PLAN APPLICATIONS (ELECTONIC FILINGS)	FORM	SPECIAL NOTES
SUBDIVISION, STRATA, REFERENCE OR EXPLANATORY		
All plans may also be filed electronically. Use the 'LTO Application to Deposit Plan' form and select the appropriate PLAN TYPE. A 'Survey Plan Certification' form must also be filed.		
All Strata Property Act forms are filed with a 'Strata Property Act Filing' form.		

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