



# COMMON REASONS FOR s.308 NOTICES TO BE ISSUED BY THE LTSA FOR MANUALLY FILED DOCUMENTS

---

## GENERAL

- Statutory form reproduced so often that it is now illegible.
- Type size (pitch and point) too small. A minimum of **12 pitch** must be used on all documents to ensure that the imaged document is legible.
- SL and SP used as abbreviations for **strata lot** and **strata plan** in legal description.
- **Partial** interest incorrectly shown with party name. Must be shown with legal in Item 2.
- **Unequal** interests expressed as percentages. Must be expressed as fractions with lowest common denominator.
- Incorporation or registration number for a corporation missing.
- Certificate of Pending Litigation not released and statutory form does not indicate "subject to CPL# \_\_\_\_". **Note:** The "subject to" rule also applies to CBL - CPL's.

## FORM A (Transfer)

- Market value and Consideration left blank.
- Reference to "In Trust" or to transferor's capacity as Executor/Administrator (including document number) not shown in *Item 4 - Transferor(s)* or in *Item 7 - Execution(s)*.
- Occupations not included for **individual** in *Item 6 - Transferee(s)*.
- Strata Form F (Certificate under the *Strata Property Act*) missing from a strata conveyance.
- Individual signing Strata Form F not properly identified. Must be identified as a Member of Council or Strata Manager.

## FORM B (Mortgage)

- Information respecting joint tenancy does not correspond to immediately preceding document.
- One joint tenant is mortgaging his interest without first severing the joint tenancy.
- Reference to "In Trust" or to borrower's capacity as Executor/Administrator (including document number) not shown in *Item 3 - Borrower(s)* or in *Item 12 - Execution(s)*.
- Occupations not included for Lenders who are **individuals**.
- Sub-items in *Item 5 - Payment Provisions* left blank.
- In *Item 8 - Interest Mortgaged* where the OTHER box has been selected, the history of the charge being mortgaged has not been set out.
- *Item 10 - Additional or Modified Terms* left blank or Item states "See Schedule" but none attached.

## FORM C (Charge)

- In *Item 3 - Nature of Interest*, registration number of existing charge not stated correctly.
- Description of interest not fully completed e.g. Priority Agreement *granting Y priority over X*.
- On an Easement or Restrictive Covenant the PID number and legal description of the dominant lands not included in Item 3 under "Person Entitled to Interest".
- Express Charge Terms attached must be headed **Terms of Instrument - Part 2** not "Express Charge Terms - Part 2".
- Occupations and postal addresses not included in *Item 6 - Transferee(s)*.
- **Modification of mortgage** not signed by both parties.

---

**FORM C (Release)**

- **Release of mortgage filed when mortgage already discharged.**
- In *Item 3 - Nature of Interest*, operative words "Release of" or "Discharge of" missing from description.
- For a **release of mortgage**, the derivative charges (modifications and previous assignments) not included under "Description" in Item 3.
- For a release of a mortgage **of a charge**, the words Registered Owner have been shown in Item 3 under "Person Entitled to Interest" and in *Item 6 - Transferee(s)*. This is incorrect. In Item 3 use either the word "Transferee" or the name of the chargeholder/borrower. In Item 6 you must show the name of the chargeholder/borrower.
- "End of Document" does not appear on page 2 of an expanded statutory FORM C.

**EXECUTION (FORMS A, B, C) and FORM D (Executions Continued)**

- **Day** of execution date not completed.
- Officer's professional capacity and postal address missing.
- Officer stamp too faint or blurred.
- Officer stamp obliterates officer certification statement.
- The phrase "as to both (all) signatures" missing when officer certifies more than one signature.
- Name of authorized signatory not typed or printed beneath the signature.
- Initials only used in name of authorized signatory. At least one given name must be shown.
- Reference to "In Trust" or to party's capacity as Executor or Administrator not shown. Should be included where party's name is printed.
- Execution appears only on the FORM D. This is incorrect. The executions must **begin** in the execution section of FORMS A, B and C and be **continued** on a FORM D.
- The Officer Certification Statement is missing from the FORM D.

**FORM E (Schedule)**

- Item headings on the FORM E do not correspond **exactly** to the Item heading on the statutory form.
- Item headings on the FORM E are not listed in the **same order** as on the statutory form

DISCLAIMER - Although we have made every effort to verify the accuracy of this list, West Coast Title Search Ltd. can accept no responsibility for any errors or omissions and expressly disclaims such responsibility.