



The Register

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Process Serving UPDATE

Our Process Serving Team

Our Process Serving department consists of a team of individuals who work closely together to ensure your documents receive the accurate and professional handling they deserve. Our strict standards have been developed over our 36 years to meet your needs.

We are pleased to welcome **Nick Vojic** to our management team as our new Process Serving Manager. Nick has worked with West Coast for over six years, both as a process server and in various other capacities. As well as his knowledge and experience, Nick brings to his management of the Process Serving department, a strong commitment to customer service.

Jeannine O'Hara, our Process Serving Coordinator, processes all incoming work for service throughout the Lower

Mainland. **Jolene Ewaski**, our *Out of Area* Coordinator, prepares work for services elsewhere in British Columbia, Canada and internationally. **Eduardo Lopez**, our in-house Skip Tracer, handles all locate requests for British Columbia, Canada and internationally. **Danielle Pepin** and **Misty Barley** help to prepare our professionally sworn affidavits of service.

Our Process Servers in the field are in regular cellular phone contact with the office. This enables them to handle Rush services when needed. They provide regular reports on the status of an ongoing service, as well as a confirmation report when completed.

Our entire Process Serving Team is dedicated to giving you prompt, reliable and superior service.

If you have any questions about our Process Serving services, please feel free to contact Nick Vojic directly at 604.659.8702 or toll free at 1.800.806.2788. You may also reach him by e-mail at nick@wcts.com.



Court

UPDATE

Security Procedures Cause Delays

The *Voir Dire* stage of the Robert William Pickton Trial began in the *New Westminster* Law Courts in late January 2006. The security procedures for the trial have had a significant impact on the daily business conducted in the Court Registry.

Access to the New Westminster Law Courts has been restricted to the main entrance in Begbie Square at the Carnarvon Street level. All other entrances have been locked down. All persons entering the Law Courts, **including Agents**, are subject to search and must pass through the security gate and search station. This search process can take up to 30 minutes. Counsel and Court employees are allowed passage through a restricted gate *only if* they have their passes or bar cards.

As a result of these security procedures, filing documents on a RUSH basis can be very problematic, especially if the timing of the 'Rush' corresponds with the early morning Chambers line-up. Counsel who are filing their own documents and need us to disburse for them will have to wait for us to pass through security to deliver the cheque. Giving us advance notice of your need for rush attendance at Court would be greatly appreciated and would help us to serve you better. Counsel should also be aware that street parking in and around the Law Courts may be restricted and extra time should be allowed for parking.



Signatures for Trial

Parties wishing to set matters down for trial are required to file a Notice of Trial (Form 35) and a Trial Certificate (Form 37). Each form requires the signature of the party or the party's solicitor. If the party does not sign personally, then each form must be signed by the solicitor as the forms contain important personal undertakings.

As per Master McCallum, Supreme Court Registries should not accept Notices of Trial or Trial Certificates containing a signature appearing in quotation marks or in the name of the law firm.

PTT

UPDATE

2006 Amendments and Clarifications

As part of the 2006 Provincial Budget, the Minister of Finance announced a number of changes to the *Property Transfer Tax Act*. Some exemptions were expanded; other exemptions were clarified. These changes were effective February 22, 2006.

Amalgamations of Societies

- Change of Name applications resulting from an amalgamation of two or more British Columbia **Societies** under section 17 of the *Society Act* are now exempt from property transfer tax. This exemption parallels the existing exemption for the amalgamation of two or more **Corporations** under the *Business Corporations Act*.
- A copy of the *Certificate of Amalgamation* or other documentation determining eligibility may be required by the Administrator.
- **Bulletin PTT 012** issued January 2000 and revised February 2006 explains the requirements for claiming *Exemption Code 38*.

Transfers on Behalf of a Minor

- The exemption for transfers to the Public Guardian and Trustee (PGT) on behalf of a minor is amended by clarifying that the transfer of a *recreational residence* or a *family farm* from the estate of a deceased is exempt where the minor is a related individual of the deceased.
- **Bulletin PTT 026** issued September 2005 explains the requirements for claiming *Exemption Code 26*.

Family Farm Corporations

- A family farm corporation is now defined as being a corporation of which the principal activity is farming farm land and no shareholder is a corporation.
- **Bulletin PTT 009** issued January 2000, revised September 2005 and updated February 2006 explains the requirements for claiming *Exemption Code 18*.

Instruction Guide

The Instruction Guide for the *General and Special Property Transfer Tax Return* has been amended to include instructions for filing *Electronic Returns*. Amendments regarding amalgamations, PGT transfers, family farms and family farm corporations have also been incorporated under the appropriate exemption codes.

For a copy of the PTT Information Bulletins or the Instruction Guide referred to above, please contact Kelly Buziak in our Client Services department at 604.659.8610 or toll free at 1.800.553.1936 or e-mail your request to info@wcts.com. You may also access the Ministry of Small Business and Revenue website at www.sbr.gov.bc.ca or the Information Taxation Branch website at www.rev.gov.bc.ca/itb. Both websites will link with *Property Taxation/Property Transfer Tax* and the *Information Bulletins*.

Land UPDATE

S.308 Land Guarantee

West Coast's procedures in processing work have always emphasized thoroughness, accuracy and attention to detail. We conduct a thorough pre-inspection of your land documents prior to filing, *whether or not you request a pre-index search*. We believe in the high quality of our work and we stand behind that quality. **We also guarantee it.**

In June 1992, West Coast was the first title search agent to introduce a Guarantee for Land Registrations. As part of our pre-inspection service, we conduct a detailed and comprehensive 80 point review of your documents (as outlined in our *S.308 Land Guarantee*) to ensure they meet Land Title requirements. This means that if you receive a S.308 Notice "Declining to Register" for any of the items listed on our Guarantee checklist, West Coast will pay the Land Title fee and resubmit your documents *at no extra cost to you*.

Currently the land title fee for S.308 Notices is \$30.00 maximum. For all applications where the filing fee is less than \$30.00, the notice fee will be equal to the filing fee, **for example**, on a *discharge of mortgage*, the notice fee will be \$27.00 (\$27.15 after April 1, 2006), on a *power of attorney*, the notice fee will be \$21.50, on a *claim of lien*, the notice fee will be \$5.00, etc. In other words, the notice fee will always be the **lesser** of the fee paid or \$30.00. *This can add up to substantial savings for you, if you receive a S.308 Notice that falls under West Coast's S.308 Land Guarantee.*

West Coast is committed to providing our clients with the highest quality service. If you would like a copy of our *S.308 Land Guarantee*, please contact Kelly Buziak in our Client Services department at 604.659.8610 or toll free at 1.800.553.1936. You may also e-mail your request to info@wcts.com.

LTO Fees to Increase April 1, 2006

As outlined in our Memorandum of March 7, 2006, the Land Title and Survey Authority of British Columbia announced a small increase in some of its *Land Title Act* base fees. Fees to register an *indefeasible title*, *charge* and *cancellation of a charge* all increased by a nominal amount. Fees for *title searches (including a Pre and Post search)* and *imaged copies* also increased. All other Land Title fees remain unchanged.

If you would like a copy of the Land Title and Survey Authority Fee Structure incorporating these fee changes, please contact Kelly Buziak in our Client Services department at 604.659.8610 or toll free at 1.800.553.1936. You may also e-mail your request to info@wcts.com. The new Fee Structure may also be found on the Land Title and Survey Authority website at www.ltsa.ca/ltsa_fees.htm.

Searching by Strata Plan Number

To perform a "short legal" *title search* using a strata plan number **or** to perform a *common property search* or a *general index search* for a strata plan, **the strata plan number entered in the key field must always have a three (3) letter prefix**. Many older strata titles have no letter prefix before the strata plan number or only have a two (2) letter prefix. In these cases, you must add one of the prefixes shown below:

Land Title District	Strata Plan Prefix To Be Entered
Vancouver	VAS (<i>not</i> VR)
New Westminster	NWS (<i>not</i> NW)
Prince George	PGS
Prince Rupert	PRS
Kamloops	KAS
Nelson	NES
Victoria	VIS

NOTE: After July 2, 2002, the letter prefix assigned to all strata plans in the **Lower Mainland** Land Title Office (*Vancouver, New Westminster, Prince George and Prince Rupert*) was **BCS**.

Corporate UPDATE

Transition Deadline

The deadline for transitioning a BC company registered prior to March 29, 2004 under the *Company Act* to the new *Business Corporations Act* is Tuesday, March 28, 2006. The Registrar has advised that companies will not be dissolved immediately for failure to file a Transition application by March 28, 2006. Prior to any company being dissolved, the Registrar will send a reminder advising the company of their pending dissolution.

Although the Registrar has advised that Transition applications will still be acceptable after the deadline, companies that have not transitioned by the end of March will be subject to the following:

- Certificates of Good Standing will not be provided for non-transitioned Companies, and
- Financial institutions may not be lending to non-transitioned companies

West Coast would be pleased to provide you with copies from the Corporate file or order a certified Transition Package on your behalf. We can also register your Transition applications online from a fax copy of your Form 43. If you have any questions about transitioning to the new Act, please call our Corporate department in our Victoria office at 405.6000 or toll free at 1.800.667.7767.

Certified Requests

Requests for certified work from the Corporate Registry that require a specific certified date must be submitted with the authorization to "*upgrade to priority if necessary*". The Registry will charge an additional \$100 priority fee only if it is necessary to complete the work on the date specified.

West Coast Anniversaries

On March 2, 2006, **Marian Bragg**, who works in our *New Westminster* Front Office, celebrated her **25th** Anniversary with West Coast. On behalf of Wayne Crookes, Owner/President and all the staff, we would like to congratulate Marian for her many years of dedicated service and say *"Thank You For a Job Well Done!"*



Marian Bragg and Wayne Crookes, Owner/President

Asked & Answered ~A Corporate Question

Question: *When I send in the Form 30 "Restoration Application Full Restoration" to restore a corporation, can I request priority service and have the corporation restored right away?*

Answer: No. Even if you request priority service, restoration will not be effected until 21 days have passed from *the later of* the date of publication in the Provincial Gazette **or** the date the Notice of the Application for Restoration was mailed to the company. The corporation will then be restored on the **22nd day**. Filing fees are \$350.00. Priority service is an additional \$100.00.

Note: This delay does not apply to *court ordered* Restorations. Court ordered Restorations can still be restored on a priority basis *within 24 hours* provided the application is acceptable for registration and a copy of the filed court order is submitted with the application.

If you have any questions you would like answered in our next Newsletter, please contact the appropriate West Coast department manager.

"You asked . . . We answered."

Keeping You Informed

Below is a list of memorandums and notices that we have sent out since our last newsletter. For additional copies, please call our Client Services department at 604.659.8610 or toll free at 1.800.553.1936. You may also view these on our website at www.wcts.com under the News and Updates button or e-mail your request to info@wcts.com.

- **March 13, 2006** - Repairers Lien Renewals Now Online
- **March 7, 2006** - Land Title Fees to Increase Effective April 1, 2006
- **March 1, 2006** - RE: Master's Schedule for April, May & June
- **January 19, 2006** - RE: Master's Schedule for January, February & March
- **January 16, 2006** - RE: Correspondence with the Court - Procedure
- **January 9, 2006** - Supreme Court Dates in Duncan
- **December 28, 2005** - Filing of Electronic Factums
- **December 1, 2005** - Vancouver Civil Trial Scheduling for Trials estimated to take 1 to 5 days and 6 to 19 days & Lengthy Chambers Scheduling



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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