



# Common Documents Filed in Land Transactions

June 2007

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
<b>Agreement for Sale</b>	FORM C	Registered as "Right to Purchase."
<b>Assignment</b> of a registered charge	FORM C	A Form 27 (transfer of mortgage) and a Form 28 (assignment of judgment) may also be used.
<b>Assignment of Rents</b>	FORM B	If A/R included in Item <b>5(j)</b> of mortgage.
- <b>Release</b> of Assignment of Rents	FORM C	If A/R is a separate document.
- <b>Transfer</b> of Assignment of Rents	FORM C	Cannot use Form 27 (transfer of mortgage)
<b>Caveat</b>	Form 38	No Form 17 is required.
- <b>Withdrawal</b> of Caveat	Form 39	No Form 17 is required. May require officer certification. See instructions on the Form 39.
<b>Certificate of Pending Litigation</b>	Forms 31, 32, 33 & 34	A Form 17 must form part of the document. A copy of the court document(s) by which claim is made must be attached.
- <b>Release</b> of Certificate of Pending Litigation	See s.252-258 <u>LTA</u> for correct form of release	Filed with a Form 17. Most common forms of release are: Solicitor's letter (S.255 <u>LTA</u> ) and Registrar's certificate (S.253 & 254 <u>LTA</u> )
<b>Change of Address</b>	Form 15	Form may also be signed by solicitor on behalf of registered owners.
<b>Change of Name</b>	Doc evidencing name change	Filed with a Form 17. (For an amalgamating company, a PTT Return is also required)
<b>Claim of Lien (under the Builders Lien Act)</b>	Form 5	Filed with a Filing Letter.
- <b>Release</b> of Claim of Lien	FORM C	<b>Note:</b> 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.

LAND TRANSACTION	FORM	SPECIAL NOTE
<b>Court Order</b> - Fee simple by way of <b>Vesting Order</b> - Fee simple by way of <b>Foreclosure Order</b>	Court certified copy of Order	Filed with a Form 17 and PTT Return. <b>Note:</b> Merge all charges that will fall under the Order.
	Court certified copy of Order	Filed with a Form 17 and PTT Return. <b>Note:</b> Merge all charges that will fall under the Order.
<b>Covenant</b> (Restrictive or Section 219)	FORM C	See notes for Restrictive Covenant
<b>Crystallized Floating Charge</b>	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
<b>Debenture</b>	FORM B	
<b>Declaration of Building Scheme</b>	Form 35	
<b>Duplicate Certificate of Title application</b>	Form 22	Execution does not require officer certification.
<b>Easement</b>  - <b>Release</b> of easement	FORM C	Dominant lands must be set out in Item 3 under "Person Entitled to be Registered as Owner"
	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> "
<b>Equitable Charge</b> other than a floating charge	FORM C	
<b>Extension</b> of a charge over other lands	FORM C	Only the extended lands are set out in Item 2. Both parties must execute the FORM C.
<b>Fee Simple - Transfer</b>	FORM A	Filed with a PTT Return and Strata Form F if applicable
<b>Indefeasible Title application</b> by owner of absolute fee	Form 20	
<b>Judgment</b>  - <b>Assignment</b> of judgment  - <b>Release</b> of judgment	Certificate of Judgment	A Form 17 must form part of the document. <b>Note:</b> Must be originally Court signed.
	Form 28 or FORM C	Form 28 requires officer certification..
	FORM C	<b>Note:</b> 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.
<b>Land (Spouse Protection) Act</b> Entry	Forms A & B	Filing Letter not required.
- <b>Release</b> of <i>Land (Spouse Protection) Act</i> Entry	Forms C & D	Filing Letter not required. <b>Note:</b> These forms are provided in the <i>Land (Spouse Protection) Act</i> <b>not</b> the <i>Land Title Act</i> .

LAND TRANSACTION	FORM	SPECIAL NOTE
<b>Lease, Option to Lease or Renewal of Lease</b> - <b>Surrender</b> of Lease	FORM C	PTT required for <b>Lease</b> and <b>Renewal of Lease</b> .
	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> ". A Surrender of lease may have Terms attached
<b>Life Estate</b>	FORM A	Item <b>5</b> of FORM A states "For the life of the transferee." Filed with a PTT Return. <b>Note:</b> The Life Estate will be registered as a <b>charge</b> .
	FORM C	Terms attached to FORM C set out the terms of the Life Estate. Filed with a PTT Return.
	Form 17	Where a FORM A "reserves unto the <b>transferor</b> a life estate", a Form 17 is filed concurrently to create the Life Estate reserved in Item <b>5</b> of the FORM A. Filed with a PTT Return.
<b>Lis Pendens</b> See Certificate of Pending Litigation		
<b>Modification</b> of a registered charge	FORM C	Both parties must execute the Form C.
<b>Mortgage</b>	FORM B	
- <b>Assignment</b> of Mortgage	FORM C	A Form 27 may also be used
- <b>Extension</b> of Mortgage over other land	FORM C	Only the extended lands are set out in Item 2. Both parties must execute the FORM C.
- <b>Modification</b> of Mortgage	FORM C	Both parties must execute the FORM C.
- <b>Release</b> of Mortgage and its derivative charges	FORM C	
- <b>Transfer</b> of Mortgage	Form 27 or FORM C	Form 27 requires officer certification.
<b>Notice of Interest</b> ( <i>under the Builders Lien Act</i> )	Form 1	Filed with a Filing Letter
<b>Option to Purchase</b>	FORM C	If the Option to Purchase has effluxed, a statutory declaration to that effect by the RO can be filed with a Form 17.
<b>Power of Attorney</b>  - <b>Revocation</b> of power of attorney	Form 1 or Form 2 under the <i>Power of Attorney Act</i> or Long Form of Power of Attorney	Filed with a Filing Letter. Requires officer certification. Requires "To Wit" form for the acknowledgment by the attorney.
	Form 8	Requires officer certification.

LAND TRANSACTION	FORM	SPECIAL NOTE
<b>Priority Agreement</b>	FORM C or Form 24	Form 24 requires officer certification.
<b>Priority (Postponement) Agreement</b>	Form 24 or FORM C	Form 24 requires officer certification.
<b>Release</b> or discharge of most registered charges	FORM C	<b>Exceptions:</b> Where another form of release is prescribed under the <i>Land Title Act</i> or under any other enactment.
<b>Release</b> of any charge that can efflux	Form 17	
<b>Restrictive Covenant</b>	FORM C	Dominant lands must be set out in Item 3 under "Person Entitled to be Registered as Owner"
- <b>Release</b> 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> "
<b>Right of First Refusal</b>	FORM C	If the Right of First Refusal has effluxed, a statutory declaration to that effect by the RO can be filed with a Form 17.
<b>Right To Purchase</b>	FORM C	Filed with a PTT Return.
- <b>Release</b> of Right to Purchase	FORM C	Filed with a PTT Return. Both parties must execute the FORM C.
<b>S. 219 Covenant</b>	FORM C	
<b>Statutory Right of Way</b>	FORM C	
<b>Tax Sales Notice</b>	Form provided by Municipality	The notice and the release is usually filed directly by the Municipality rather than by a Law Firm.
- <b>Release</b> of Tax Sales Notice		
<b>Transmission to surviving joint tenant</b>	Document evidencing death	Most common document filed is the Death Certificate. Filed with a Form 17 and PTT Return - Claim Code <b>08</b> .
<b>Transmission to executor/administrator</b>	Court certified copies of: Letters Probate or Letters of Administration <b>and</b> Disclosure Statement	Filed with a Form 17 and PTT Return - Claim Code <b>09</b> .

PLAN APPLICATIONS	FORM	SPECIAL NOTES
Application for Cancellation of Interior Lot Lines	Form 14	
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	

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