

# Land Titles & Surveys

## Registration Policy & Procedures Updates

### Important Changes – Effective January 4, 2021

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#### Overview

The Government of Alberta's Land Titles and Surveys branch is making changes to provide more effective and timely service to clients.

The following changes to the large registration process and other policies and procedures will take effect on January 4, 2021.

#### Certified Copies of Title

##### Registration Requests

Land Titles will no longer provide Certified Copies of Title (CCTs) upon registration. After confirmation of registration, please proceed to SPIN2 ([www.spin.gov.ab.ca](http://www.spin.gov.ab.ca)) to obtain any copies of title required.

Please note that each certified title purchased through SPIN2 is time and date stamped.

Clients may continue to request fax confirmation until further notice. The ability to request a CCT when creating SPIN2 document registration requests (DRRs) will be removed. Additionally, the use of pink colored paper for registration and rejection notices will be phased out.

#### Amending Agreement Supplemental Mortgage Combination Document

##### Current Policy

In 1996, a decision was made for Land Titles to accept a document for registration, which both charges additional lands to a mortgage and amends the existing terms of the mortgage. In order to comply with the *Land Titles Act* (LTA) and provide consistency and streamline the process, Land Titles

will no longer accept these combination documents for registration.

##### Background

##### Section 129 of the LTA

An amending agreement, which adds new land to the mortgaged premises, cannot be registered, as the mortgagee is not the owner of a registered interest in the new land as required by s 129 of the LTA.

##### Tariff item 4(c)(i)(ii)

The Land Titles Tariff of Fees Regulation provides for the registration of a Supplemental Mortgage.

Going forward, there are two options available to the registrant:

##### Option 1

- 1) Provide an executed Supplemental Mortgage, accompanied by a Statutory Declaration re: Reduced Fees.
- 2) Provide an executed Mortgage Amending Agreement, amending the amount and terms (if applicable) of the existing mortgage. Please note that Land Titles will require a separate, fully executed Amending Agreement for each mortgage being amended.
- 3) The DRR must list all documents to be registered separately (e.g. MORT, AMEA, AMEA, etc.).

##### Option 2

Provide a new, fully executed mortgage against all the lands (both original and supplemental). By selecting this option, the original mortgage(s) will have to be discharged and will therefore lose priority on the title(s). A Statutory Declaration re: Reduced Fees should also be provided in order to obtain reduced registration fees.

## Large Registration Packages

### Documents Affecting Multiple Lands

- Land Titles will no longer accept documents for registration if the document includes more than 20 titles.
- The registrant must provide:
  - one original document; and
  - additional photocopies of the original document, where each schedule of lands contains **no more than 20 titles**.
- Only eight document registrations (160 titles per Document Registration Request) can be included on one SPIN2 DRR.
  - If the package affects more than 160 titles, multiple DRRs may be required.
  - If multiple DRRs are required, the DRRs must be submitted as a package and referenced in the Customer Special Instructions.

### Documents without Legal Descriptions

- Land Titles will photocopy and register documents multiple times if they do not include a schedule of land, but affect more than 20 titles.
- Land Titles reserves the right to request separate schedules of land under certain circumstances

**Please note: Additional fees may be incurred upon implementation of this policy.**

### Example of a Large Package Submission

A mortgage affecting 200 Titles will require:

- 1 SPIN2 DRR with 8 mortgages listed (include 1 of 2 and the second DRR number in Customer Special Instructions).
- 1 Spin2 DRR with 2 Mortgages listed (include 2 of 2 and the first DRR number in Customer Special Instructions).
- 1 original Mortgage and 9 photocopies of the Mortgage.
- 10 separate schedules of lands with 20 titles on each.

**Please note:** \$50 base for a mortgage registration will be charged for each of the 10 mortgages registered.

Due to the nature of documents registered by the surveys department, we will continue to accept documents that affect/create more than 20 titles.

## Transfer of Caveat

Land Titles will continue to accept Transfer of Caveats of up to seven instruments on one document; however; the Caveator must be consistent on each registered Caveat.

For example, if a Caveator is transferring multiple caveats in one document and one of the registered documents has two or more Caveators, we will require a separate Transfer of Caveat for that instrument, as the additional Caveator(s) needs to be included in the updated endorsement.

## Non-Account Holders

Clients who submit multiple registrations a year are strongly encouraged to obtain a Land Titles account. At this time, the request is voluntary; however, it may become mandatory in the future.

You may obtain an account application package by emailing [abreqinvlto@gov.ab.ca](mailto:abreqinvlto@gov.ab.ca)