

# Name Searches

## Information Sheet

Name searches are regulated by the Name Search Regulation under the *Land Titles Act*. Name searches enable creditors and other parties to determine what interests in land are owned by the person affected by an order, writ of enforcement or agreement, and register their interest against the land.

The Application for Name Search form can be found here: <http://www.servicealberta.ca/pdf/ltmanual/wre-1-forma.pdf>

### What information you need

- The requestor's full name
- Who the applicant is (owner, registered interest holder etc.)
- The type of entity you are requesting the name search against (individual or corporation)
- The type of search you are requesting (current owners, current document parties etc.)

### Eligibility to request name search

A person requesting a name search **must** fulfil at least one of the following criteria:

- a) The person requesting the name search is the person whose name is to be searched.
- b) The person requesting the name search has been given a written consent for the name search by the person whose name is to be searched.
- c) The person requesting the name search has a registrable or registered instrument and is searching the name of the person:
  - who is specified in the instrument; and
  - whose interests in land the instrument is intended to be registered or is registered against or whose interests in land are entitled to be dealt with.
- d) The person requesting the name search is a police officer carrying out duties as a police officer.
- e) The person requesting the name search is authorized or otherwise entitled pursuant to an order of a court to have the name search conducted.
- f) The person requesting the name search is doing so on behalf of the Crown or with respect to carrying out duties or functions on behalf of the Crown.
- g) The person requesting the name search is doing so as the agent for a representative of a person who meets the criteria for requesting a name search under items (b) or (c).
- h) The person requesting the name search is doing so on behalf of the Real Estate Council of Alberta for the purposes of an investigation under Section 38 of the *Real Estate Act*.

### Valid name search request reasons

The types of instruments that can be accepted in support of an application are:

- Writs of enforcement, extent and federal writs of seizure and sale
- Transfers of writs and assignments of judgments

- Workers' Compensation Board certified statements, judgments and orders for maintenance or alimony pursuant to the *Domestic Relations Act*, the *Divorce Act* or the *Parentage and Maintenance Act*
- Orders and agreements pursuant to the *Maintenance Enforcement Act*, *Maintenance and Recovery Act* or the *Income Support Recovery Act*
- Orders pursuant to the Employment Standards Code
- Orders pursuant to the *Public Utilities Board Act*
- Certificates of Lis Pendens pursuant to the *Matrimonial Property Act*
- Certificates of mental incompetency by the Public Trustee
- Trusteeship orders pursuant to the *Adult Guardianship and Trusteeship Act*.

### **Additional Information**

Detailed information regarding land titles filing requirements and forms can be found on our website:

- **Main webpage**
  - <https://www.alberta.ca/land-titles.aspx>
- **Name Search policy**
  - <http://www.servicealberta.ca/pdf/ltmanual/WRE-1.pdf>
- **Land Titles forms**
  - <https://www.alberta.ca/land-titles-overview.aspx>
- **Name Search Regulation**
  - [http://www.gp.alberta.ca/1266.cfm?page=1999\\_207.cfm&leg\\_type=Regs&isbncln=9780779779895&display=html](http://www.gp.alberta.ca/1266.cfm?page=1999_207.cfm&leg_type=Regs&isbncln=9780779779895&display=html)
- **Fees**
  - [http://www.servicealberta.ca/pdf/ltmanual/Land\\_Titles\\_Common\\_Documents\\_Fee\\_Schedule.pdf](http://www.servicealberta.ca/pdf/ltmanual/Land_Titles_Common_Documents_Fee_Schedule.pdf)
  - If no matches are found, the fee is \$2.00.
  - If matches are found, the fee is \$12.00.