

Land Titles & Surveys

Common Documents and Errors: Recommended Fixes and Best Practices

Prior to submitting packages for registration, it is important to confirm the following:

- ✓ All required supporting affidavits for the transaction have been completed (i.e. Affidavit Re: Minors, Affidavit Verifying Corporate Signing Authority, etc.), signed and commissioned
- ✓ Commissioner for Oaths/Notary Public has provided their printed name and expiry date
- ✓ Notary Seal has been affixed (if applicable)
- ✓ If the document has been executed via two-way video conferencing, supporting affidavits have been amended to reflect the same
- ✓ Corporate seal must be fully legible

Making every effort to ensure documents are registerable on the first submission to Land Titles & Surveys greatly improves turnaround times. Reducing the frequency of deficient documents helps minimize submissions waiting in the Pending Registration Queue (PRQ) and speeds the processing of registrations for all applicants. When assessing documents that have been resubmitted after being identified as deficient, it takes Land Titles Analysts and Survey Technicians the same amount of time to review as new submissions. Reducing the number of resubmissions and the need for Land Titles Analysts and Survey Technicians to contact applicants to correct efforts benefits everyone through improved processing timelines.

For all Land Titles & Surveys submissions: Review whole package for correctness and completeness prior to submitting for registration.

Document Type	Common Error	Recommended Fix & Best Practices
Discharge	All lands not identified on the Document Registration Request (DRR) for whole discharge	<ul style="list-style-type: none">✓ Refer to the original registration to confirm all affected lands are included✓ Submitters can also use the new Document Search tool in Spin2 to match registered documents to titles
	Instrument previously discharged	<ul style="list-style-type: none">✓ Refer to the title when submitting a discharge to ensure the subject instrument currently exists
	Incorrect party executed discharge	<ul style="list-style-type: none">✓ Ensure the correct authority is executing the discharge. For a caveat, either the original caveator or the stated agent may authorize a discharge

Document Type	Common Error	Recommended Fix & Best Practices
	Incorrect form used for different types of discharges	<ul style="list-style-type: none"> ✓ Separate forms exist for the discharge of a mortgage, caveat and utility right of way; these contain different verbiage. Ensure the correct form is used for each instance. ✓ If unclear on the correct form to use, refer to the Procedure Manual ✓ Discharge of Caveats: CAV-2 ✓ Discharge of Mortgages: MOR-1 ✓ Discharge of Utility Right of Way: URW-1
	Discharge of utility right of ways incorrectly uses caveat verbiage	
Transfer of Land	Transferee name/address not provided	<ul style="list-style-type: none"> ✓ Review all documents prior to submitting for registration to ensure all required information is correct and complete ✓ Transfer of Land: TRF-1
	Legal description not provided	
	Consideration on face of transfer is inconsistent in words and numerals	
	Transferor and/or witness signatures missing	
	Affidavit re value not provided, or incomplete	
	Transferor's name(s) absent or incorrect	<ul style="list-style-type: none"> ✓ Compare the title to the transfer documents to ensure the name(s) of the transferor(s) are consistent with name(s) of the registered owner(s), including exact spelling of the name(s)
Dower requirements not met	<ul style="list-style-type: none"> ✓ Refer to DOW-1 in the Procedure Manual to determine when Dower applies, and which manner of compliance is best suited for the subject registration ✓ Dower: DOW-1 	
Mortgage	Legal description not provided	<ul style="list-style-type: none"> ✓ Review all documents prior to submitting for registration to ensure all required information is provided and complete ✓ Refer to DOW-1 in the Procedure Manual to determine when Dower applies, and which manner of compliance is best suited for the subject registration ✓ Ensure schedules or cited attachments are attached ✓ Mortgages: MOR-1
	Dower requirements not met	
	Tenancy as shown in mortgage is inconsistent with transfer	
	Mortgagor and/or witness signature missing	
	Cited schedules or attachments missing	
	Mortgagor name is incorrect	<ul style="list-style-type: none"> ✓ Compare mortgage documents to the title or attached transfer of land to ensure names are consistent, including exact spelling of the name(s)
	Standard form mortgage registration number not provided or incorrect	<ul style="list-style-type: none"> ✓ If referencing a standard form mortgage, confirm the registration number of the standard form mortgage and ensure it is correctly cited in the mortgage document ✓ Standard Form Mortgages: MOR-2

Document Type	Common Error	Recommended Fix & Best Practices
Caveat	Identification of “standing in the name of....” is incorrect or inconsistent with title	<ul style="list-style-type: none"> ✓ If the submission is going to state the name(s) of the registered owner(s), the names must be correct and complete. Refer to title or attached transfer of land for confirmation of spelling. Caveats: CAV-1.pdf
	Grounds for caveat not established	<ul style="list-style-type: none"> ✓ Ensure the grounds of the caveat are clearly defined in the caveat
	Affidavit in support of caveat not attached	<ul style="list-style-type: none"> ✓ Ensure the affidavit in support of caveat is included and correctly executed
	Cited attachments in the caveat are not included	<ul style="list-style-type: none"> ✓ Ensure all attachments referred to in the caveat document are attached and complete
Change of Address	No legal description provided – street address is insufficient	<ul style="list-style-type: none"> ✓ The change of address must include the legal description for affected land(s)
	For corporate name change, corporate seal has not been affixed or capacity of signatory as officer/director is missing	<ul style="list-style-type: none"> ✓ For corporate name change, affix corporate seal or indicate below signature that party signing is officer or director ✓ Change of Address (Personal): Address ✓ Change of Address (Corporate): COR-1
Affidavit of Surviving Joint Tenant	Property is not held as joint tenants	<ul style="list-style-type: none"> ✓ Refer to the title to confirm registered owners hold title as joint tenants prior to submitting for registration ✓ Deceased Joint Tenant: TEN-1
	Names are incorrect or inconsistent	<ul style="list-style-type: none"> ✓ Refer to title to confirm names and exact spelling
Transfer of Financial Instrument	Lands listed on DRR are inconsistent with lands in instrument	<ul style="list-style-type: none"> ✓ Ensure all lands in attached documents are reflected on DRR ✓ Submitters can also use the new Document Search tool in Spin2 to match registered documents to titles
	Transfer can contain only like instruments; no mixing of instrument types	<ul style="list-style-type: none"> ✓ Ensure the transfer contains the same types of documents ✓ If there are multiple types of transfers, submit a separate DRR for each type of transfer
	The instrument affects multiple lands but does not include all affected title numbers	<ul style="list-style-type: none"> ✓ If instrument affects multiple lands, title numbers must be provided ✓ Submitters can also use the new Document Search tool in Spin2 to match registered documents to titles

Document Type	Common Error	Recommended Fix & Best Practices
	One Transfer of Financial Instrument contains more than 7 instruments transferred	<ul style="list-style-type: none"> ✓ Maximum of 7 instruments transferred per TFIN ✓ If there are more than 7 instruments, submit multiple DRRs
Surveys	Digital files are missing	<ul style="list-style-type: none"> ✓ Review package to ensure all required files are present Surveys 1: SUR-1
	Consents not provided	<ul style="list-style-type: none"> ✓ Review package to ensure consents are provided when necessary
	Affidavits: <ul style="list-style-type: none"> ✓ Not commissioned ✓ Are missing ✓ Affidavit of corporate signing not provided 	<ul style="list-style-type: none"> ✓ Review affidavits and ensure all are fully and correctly completed ✓ If a corporation is executing documents, ensure it has either a corporate seal or a correctly executed affidavit of corporate signing authority
	Subdivision approval missing, or conditions not met	<ul style="list-style-type: none"> ✓ Ensure drafting issues in the plan are correct ✓ Ensure subdivision approval is present, when required
	Drafting issues in the plan are presented	<ul style="list-style-type: none"> ✓ Ensure subdivision conditions are met as required
	Discharges are not executed by correct party(ies)	<ul style="list-style-type: none"> ✓ Ensure the correct authority is executing the discharge
	Dower compliance	<ul style="list-style-type: none"> ✓ Submitting parties can refer to DOW-1 to determine when Dower applies, and which manner of compliance is best suited for the subject registration Dower: DOW-1

Foreign Ownership of Land Administration Declaration Tips	
Form Completion and Execution	<ul style="list-style-type: none"> ✓ Instrument # should be used only when submitting a Transfer of Caveat, otherwise it must be left blank ✓ Only one individual is required to execute the Statutory Declaration; their position with the corporation must be provided ✓ The name in the heading of Appendix A (and any other appendices) must be the name of the person who is executing the Statutory Declaration ✓ Completion of Clauses 3 & 4 are not required when submitting a Form 2 ✓ An “Agent” is not authorized under s.22(2) to sign on behalf of a corporation. Please do not include the designation of “Agent” anywhere on the declaration. Foreign Ownership of Land Administration: FOL-1
Appendices Completion	<ul style="list-style-type: none"> ✓ Appendices are used for disclosing the breakdown of ownership, ensuring that each is communicated with respect to which corporation that set of information belongs to. The full, complete chain of ownership/beneficial ownership is required. Schedules are used for disclosing lands.

	<ul style="list-style-type: none"> ✓ Country of Incorporation must be provided on all appendices which disclose shareholders. ✓ Share information <ul style="list-style-type: none"> ○ Ensure that all issued shares are disclosed in all appendices (not only voting/Class A shares and voting/Class A shareholders) as "outstanding shares" and not limited to just voting/Class A shares. ○ The regulations do not specify "voting" or "non-voting," nor do they distinguish between any one type or any one class (i.e. Class A only) as holding more weight or value than another. ○ The percentage of total shares held by a shareholder is calculated by adding all the shares owned by that shareholder, regardless of class, and dividing it by the total number of shares in the company. ○ Percentage of Total Outstanding Shares (Column 4 of the shareholder table) is calculated by adding all the shares owned by that shareholder, regardless of class, and dividing it by the total number of shares in the company. Shareholdings of multiple share classes by an individual or entity must be consolidated and reported as a single line item. ✓ If there are any corporate/non-human shareholders identified in Appendix A, the entire chain of ownership/beneficial ownership of the transferee must be disclosed, with further appendices ordered alphabetically, to arrive at individual, human shareholders at the end of the chain. <p>All corporate shareholders must be broken down, ensuring clarity to which corporation that set of information belongs to. The full, complete chain of ownership/beneficial ownership is required.</p>
<p>Title Related</p>	<ul style="list-style-type: none"> ✓ When disclosing the acres/hectares, if there is no information contained on the Title then that section must be left blank ✓ If the associated registration is resulting in a partial interest (i.e. as to an undivided ½ interest) this must be indicated on the declaration ✓ If the short legal provided results in multiple titles, the Title Number must be provided for clarity

Document Registration Request (DRR) Tips

Documents provided are inconsistent with those identified on DRR

- ✓ Review submission before sending to land titles to ensure all intended documents are attached and that the DRR and submitted documents are consistent
- Registration Overview: [Register a land title document or plan | Alberta.ca](#)

Land IDs identified on DRR are inconsistent with documents

- ✓ Ensure the legal description provided matches the title and is consistent between the documents in your submission (if applicable)
- ✓ Submitters can also use the new Document Search tool in Spin2 to match registered documents to titles

No fees enclosed / account is not current

- ✓ If you have an account with Land Titles, ensure the information on file is current and up to date. If it is not, contact Land Titles to update.
- ✓ If you are not an account holder with Land Titles, you can either attach a cheque with your submission or pay in person at the land titles office. Cheques are to be made out to "Government of Alberta".
- ✓ If you do not have an account with Land Titles and want an account set up, contact Land Titles to initiate

Priority not specified when multiple documents of the same type are submitted on one DRR.

- ✓ Where multiple documents of the same type are included on one DRR, specify the priority of registration for those documents by distinguishing information in comments
- ✓ If there are more than one of the same types of documents included on one DRR, please provide specific instructions on the DRR as to how you would like these ordered on title. Instructions can be provided either in the "special instructions" field, or by a reference to the parties involved, the mortgage principal, etc.