

Application for Absolute Title

Land Titles Conversion Qualified Title to Absolute Title

A registered owner of land with a qualified title may at any time apply to the land registrar to be registered as owner of the land with an absolute title. Evidence to remove the qualifying conditions must form part of the document and prove satisfactory to the land registrar.

Electronic documents and statements are available and may be used in conjunction with the process set out in the MGCS Client Guide – LAND TITLES CONVERSION QUALIFIED (LTCQ) TO LAND TITLES ABSOLUTE PLUS (LT+) – dated August 2001.

The guide can be obtained from the Government of Ontario Website at www.serviceontario.ca/landregistration or at www.ontario.ca/fr/recherche/enregistrement-immobilier

select Guides. Also, see Bulletin 2009-05 regarding Descriptions and Bulletins 2009-06 and 2017-04 regarding Service of Notice also available on the Government of Ontario website.

Clients are to work with the Representative for the Land Registrar as to the process. The application is currently accepted in the paper format as well. Clients wishing to submit an electronic Application for Absolute Title will need to co-ordinate the registration with the plans processor that reviews the final submission package.

To change the land from land titles conversion qualified to absolute title status, the following steps must be taken:

- Register the Notice of Application for Absolute Title in the appropriate Land Registry Office and then send notices accompanied by a white print or legible reduced photocopy of the draft reference plan to the adjoining owners and any parties with a registered interest in the land and to those who appear to have an interest.
- After the initial notice period has passed, and once objections, if any, have been dealt with, send an email to PlanSubmissions@ontario.ca for instructions as to which Processing Centre the Application for Absolute Title and supporting materials are to be sent for review.

Applications for Absolute Title can also be based in whole or in part on possession of the land in question. For more information and an outline of the process please refer to the MGCS Client Guide. Applications for Absolute Title based on possession are only accepted in paper format at this time.

Absolute Title Application Documents

The electronic registration system distinguishes between the following two types of absolute title application documents:

- Notice of Application for Absolute Title
- Application for Absolute Title

Each requires different information or evidence to meet registration requirements (see Statements below).

Property

Once the PIN has been entered, data from the Property file in POLARIS is imported into the document. If the documents deal with more than one PIN, enter each PIN. See General Requirements, Property section for details.

Creation of New Easements and “Easement Only” Remark

Notification of an easement can be placed on a parcel register, at the time of receipt, for those lands (known as ‘easement only lands’) that prior to Teraview 6.1 did not contain a notice of the easement until it was added to the thumbnail description at certification. This optional functionality allows the registrant to identify the ‘easement only lands’ in the document creating the easement and upon receipt the document will be automatically added to the instrument list of these PIN(s). The system will also add the document remark – “New Easement Only” to this entry. Upon certification of the creating document, the easement will be reflected in the thumbnail description of all the PIN(s) and the document and remark will be removed from the instrument list of the easement only PIN(s).

Please refer to the Easement Module for details.

Applicant

Enter the name of the applicant(s).

Owner

Enter the name of the owner(s).

Statements

Different statements are required for specific title application documents.

Documents Signed under the Authority of a Power of Attorney

Every document signed under the authority of a power of attorney requires additional statements to be selected. See General Requirements, Authorization by Power of Attorney for available statements.

No Dealings Indicator/Land Registrar’s Investigation

For statements available to make when a No Dealings Indicator is on title, see General Requirements, No Dealings Indicator and Land Registrar’s Investigation sections.

Notice of Application for Absolute Title

Statements

For a Notice of Application for Absolute Title, select the following statement and enter the required information:

- 3724 Take notice that the applicant(s) has made an application to be registered as the owner(s) with an absolute title of land described as follows: registerable description. And take notice that any person claiming to have any title to or interest in the said land or any part thereof is required on or before yyymmdd, to file a statement of objection setting out the grounds for the objection at solicitor’s address. This notice is served upon you because you appear to have an interest in land which is adjacent to the land included in the application or an interest in the land included in the

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application as illustrated on the attached plan in statement 61. A white print or legible reduced photocopy of the draft reference plan will be provided for all parties served with this notice.

Select statement 61 and import a PDF of the draft plan.

61 Schedule: Text

Lawyer's Statement

62 I (name) solicitor make the following law statement (insert details).

This Statement is similar to Statement 61 but is to be used where a statement of law is required but there is not a law statement available for selection. Information may be keyed into this field or imported from a word-processing package. When statement 62 is selected the system will require a lawyer to sign the document for completeness.

Application for Absolute Title

Until Statement 3725 is revised, registrants are required to enter the Application for Absolute Title being Appendix G of the MGCS Client Guide as a PDF imported into Statement 61. An override is required to register this document.

Select statement 61 and enter the required information, being the Application for Absolute Title, Certificate of the Solicitor and the Certificate of the Surveyor as PDFs (see MGCS Client Guide).

61 Schedule: Text

Lawyer's Statement

62 I (name) solicitor make the following law statement (insert details).

This Statement is similar to Statement 61 but is to be used where a statement of law is required but there is not a law statement available for selection. Information may be keyed into this field or imported from a word-processing package. When statement 62 is selected the system will require a lawyer to sign the document for completeness.

Authority

Additional Statements are required regarding the authority to create and register a document. For more information on the proper authorization of documents, see General Requirements, General Authority Statement section.

Signatories

Once the document has been created, select Instrument from the menu bar, select Sign from the drop down list. This screen provides for the authorization of the completeness and release of the document

A Title Application document is required to be electronically signed on behalf of the applicant. See General Requirements, Signatories and General Authority Statement sections.

