



A LOT FROM THE DOT

Continuing Record Volumes and “Splits”

October 5, 2021

Ontario’s all-electronic Teraview® land registration system continues to experience astonishing record-breaking volumes. As set forth in my June 8, 2021, A Lot from the DOT, the last fiscal year for the Land Registry Office was the busiest since 2017; and this year is projected to exceed last year’s volumes by a healthy margin. In a word, we have never been so busy.

As such, certification times (especially the certification of complex documents like “splits”), plan approvals of all sorts, general queries, escalations, pre-approvals, and PIN corrections are all delayed accordingly. Similarly, the processing of various “paper” documents submitted through the Teraview® and OnLand electronic paper registration systems is also commensurately delayed.

If your transaction requires or involves any of the foregoing services, every effort should be made on your part to submit your overrides, documents, plans, escalations, preapprovals, and PIN corrections well in advance of closing dates, and contingency plans should be prepared to provide for escrows, holdbacks, undertakings, title insurance, etc. in the event that such plans might be needed if your closing date comes about before the relevant Land Registry Office service can be completed.

Again, the Land Registry Office will not be prioritizing or fast-tracking any of these services according to closing dates. With only a limited specific exception for POTLs on some common element condominiums, all certifications, plan approvals, general queries, escalations, pre-approvals, and PIN corrections, etc. will be dealt with in queue, on a first-come, first-served basis, depending upon the complexity of the issue and the available expertise and scheduling of Land Registry Office staff. The Land Registry Office will not entertain any requests for fast-tracking, prioritization, or expedited service. Please manage client expectations accordingly.

Teraview® registrants are reminded that, in the case of splits, conveyances can continue to be registered on the parent PIN without waiting for the splitting transfers to be certified and the new split PINs created. Of course, some care should be used in ensuring that the legal descriptions are correct (i.e., the relevant part of the parent PIN is referred to instead of the whole of the parent PIN), but the parent PIN always remains active even after the registration of a transfer that splits that PIN, and you can continue to convey on that parent PIN even while your new split PINs are awaiting certification. A delay in the creation of new PINs after a split should not be the cause for a delay in subsequent conveyances relating to either the split PINs or the remnant PIN, as the case may be.