



## For the New Year:

### POL Help Line Changes on January 1, 2008

The POL Help Line has been in operation since 2003, when the *Land Registration Act* was proclaimed in Colchester. The intention of the Help Line was to assist lawyers, legal assistants and all other clients in getting through the large learning curve associated with the implementation of the new legislation, regulations, business processes and system. The Help Line was designed to assist in answering technical questions regarding the system and to help with finding the appropriate resource material available on the SNSMR web site.

Reliance on the phone line grew substantially between 2003 and 2005 but procedural and system questions declined when improved resources were placed online. The calls decreased again with the recent development of the comprehensive client online manual.

The use of e-mail to document specifics on a question submitted and more recently using "Ask POL a Question" has enabled us to analyse more closely the types of questions being submitted. The vast majority of questions that continue to be submitted would be more appropriately answered through consultation with practising lawyers.

Following discussions with the Nova Scotia Barristers' Society, it was determined that the POL Helpline should not be used to answer questions about procedures and other items that are covered off in the *Land Registration Act* and regulations.

Effective January 1, 2008, the Ask POL a Question and POL phone-in Help Line will answer the following categories of questions from Authorized Lawyers and Assistants:

1. Application support issues
2. Image quality issues
3. General questions from citizens/businesses
4. User agreements/authorized lawyer agreements/financial/accounting
5. Support for new system release or significant implementations (i.e. E-submission or system releases)
6. Requests for Registrar General's consent to submission of Forms 6A and 17 in accordance with the *Land Registration Administration Regulations*

Our challenge is to find a way to assist lawyers to have their queries addressed without actually providing the information ourselves.

The proper means to have questions considered should be through the Real Estate Lawyers Association of Nova Scotia (RELANS), a member-focused organization that has played a significant role in the development of the LRA system over the years. Although members cannot be mandated to join RELANS, we believe that through their discussion forum there is a ready and viable means to have questions considered and advice provided.

Those interested in learning more about RELANS or seeking to join it should contact Linda Wood, Blackburn English,

[LWood@blackburnenglish.com](mailto:LWood@blackburnenglish.com). We have been advised that RELANS will be sending a message to all authorized lawyers later this month.

Issues requiring intervention by the Registrar General under the *Land Registration Act* and regulations will, of course, continue to be processed in the ordinary course.



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## Ordering

**CERTIFIED**

## Documents

### by Phone

As you know, certified copies of registered or recorded documents are printed out from our image database (Property Online) or are copies of paper documents (if not yet scanned) and signed by the registrar or designate as a certified copy of the registered/recorded document.

Online images of documents can be printed and certified by any registrar or designate. This means that, where necessary, a law firm can request, for instance, a certified document registered in the District of Halifax from Baddeck, if the image of the document is scanned and online.

Although the image of the final registered document is the original for all purposes and the law firm's print-out from the image is the same as the image print-out done at the Land Registration Office (LRO), courts will only accept a hard copy of the land document signed by the registrar or designate as being a certified copy of the original.

With the move toward 100 per cent E-Land Registries, in some Land Registration Offices where searchers or lawyers would typically request and pick up certified documents on site, they now need to be able to make that request over the phone in some cases. All Land Registration Offices will offer this option as of January 2, 2008.

Please ensure that when making the request, the following information is provided to ensure that your request can be fulfilled:

**Firm**

**Contact Name**

**Phone Number**

**Fax Number**

**Method of Return (pick-up, mail, or courier)**

**Document Information:**

**county where document is recorded/  
registered**

**document number**

**Book number**

**Page number**

You may request that the information be returned via mail, or you may wish to send a courier to pick up the document. Land Registration Offices will not arrange for a courier on the lawyer's behalf.

**You must make the request two days in advance of the day you require the certified document, to ensure the request can be met.**



Applicable fees will be charged when these requests are made:

- Access fee
- Photocopy fee (per page)
- Certification Fee
- Shipping and handling (if returned by mail).

# Legal Assistant Training

Often we receive calls from legal assistants requesting training on the LRA system and processes for legal assistants. The government does not have a training program for legal assistants.

The Nova Scotia Barristers' Society, however, does offer some training for legal assistants through its LRA Education programs. LRA training — a full introduction to the system — is currently held twice per year, with the possibility of more programming following changes in Spring 2008. Legal assistants may attend but are not required to take this training.

Legal assistants may also attend the annual NSBS conference in partnership with RELANS as well as a general session on legal ethics in February.

Community colleges and private colleges offer general training for legal assistants and paralegals.

During the *Land Registration Act* implementation, Service Nova Scotia and Municipal Relations (SNSMR) partnered with stakeholders such as the Nova Scotia Barristers' Society and the Association of Nova Scotia Land Surveyors to develop and deliver training on the new legislation, business processes, and system. Training is offered from time to time on significant changes being made to the system, but these sessions are designed for existing lawyers and staff working in the system and focus only on the change being implemented at the time.

Legal assistants looking for training in the *Land Registration Act* are invited to visit the Nova Scotia Barristers' Society web site at [nsbs.org/development.php](http://nsbs.org/development.php) for more information on these sessions.



## What's New on the E-submission Web Page

The E-submission web page is brimming with links to information that simplifies the E-submitting experience.

At the top of the page (at [www.gov.ns.ca/snsmr/property/e-submission](http://www.gov.ns.ca/snsmr/property/e-submission)), we've added four links that will propel you to the desired facts faster than Santa's sleigh in the night. These links are Training, Tutorials, FAQs, and Becoming an E-submitter. Next you'll see Scanning and Technical Information, which magically takes you to a comprehensive report on office processes and scanner shopping.

To clarify the purpose of E-submission notices is the new page, E-submission Financial Process, and includes samples of the documents described.

As promised, we've added a complete list of documents that are able to be E-submitted; take a peek in FAQs under the question **What documents must be E-submitted?**



# E-Submission and the Affidavit Page



**R**ecently, there has been confusion over the use of the affidavit page when E-submitting documents. The following clarification provides some tips on completing the affidavit page successfully.

The Forms 24-E and 44-E, where applicable, include the affidavit page. This needs to be filled out in order to E-submit the document. The following fields are mandatory:

- Date
- Sale price and
- Rate (if applicable)

**Date field:** The date format is yyyy/mm/dd

**Sale price:** The system is looking for an entry but does not recognize \$0.00 as a valid sale price. If the sale price is zero, then you must enter a penny (\$.01) in this field. By putting in \$.01, the system calculates a Deed Transfer Tax of **zero**. Note: If you enter \$1.00, the system will calculate **\$.01** which will be deducted from the trust account.

**Rate:** The appropriate rate must be picked from the drop-down menu **except when there is no rate**. The system **does not** fill in the appropriate rate. Please review the tax table on the web site if you are unsure of the municipal Deed Transfer Tax rate. Go to <http://www.nspropertyonline.ca> and click on the link on the left menu, Deed Transfer and Property Tax.

## Sign and Review Screen and the Deed Transfer Tax (DTT) Statement

On the sign and review screen, the lawyer must certify to one of the following:

- The Deed Transfer Tax payable for this transfer has been paid to the appropriate municipality.
- There is no Deed Transfer Tax payable on this transfer, or the parcel being transferred is located

in a municipality that does not collect Deed Transfer Tax.

- The Registrar of Land Titles will collect the Deed Transfer Tax payable for this parcel on behalf of the municipality.

The system will default to the appropriate statement that relates to the municipality.

### Examples

1. **The Town of Digby default is:**  
The Deed Transfer Tax payable for this transfer has been paid to the appropriate Municipality.

**Note:** The sale price is entered on the DTT but the system will not calculate the DTT as it assumes that the DTT was paid at the Municipality. Staff will look for the MU stamp that indicates the DTT has been paid.

2. **The Town of Pictou default is:**  
There is no Deed Transfer Tax payable on this transfer, or the parcel being transferred is located in a municipality that does not collect Deed Transfer Tax.
3. **The Halifax Regional Municipality default is:**  
The Registrar of Land Titles will collect the Deed Transfer Tax payable for this parcel on behalf of the municipality.

### Examples of when you need to change the default DTT statement:

1. **No Deed Transfer Tax payable in Halifax County (e.g. Quit Claim Deed)**

If there is no consideration for value, a penny is required to be entered for the sale price. This will calculate a zero Deed Transfer Tax.

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# Progress on 100 % E-land Registry Pictou and Halifax

## Pictou

The Pictou County vault is shrinking in size as more paper documents and plans are sent to off site storage. The digital images for the bound books should be online by January. As discussed in September information sessions with lawyers and searchers, on site access to microfilm and the use of a microfilm reader printer for these historic books will be a temporary measure if the images are not available online before the bound books are moved off site to the provincial archives.

The electronic index for books 1 to 46 has been keyed and is in the process of going through the first level of Quality Control.

A few hundred plan images could not be loaded online due to indexing issues that had to be investigated. This work should be completed by the end of December.

## Halifax

Mike Jacklyn and his Halifax scanning team and our Data Administrator have been focussed on getting the last few images for Halifax online. A key part of this work is reconciling the database records of all paper and microfilm documents and plans with the documents and plan images online

to ensure nothing has been missed.

## 60-year Back scanning

**Completed Sites:** Colchester, Pictou, Antigonish, Cape Breton (1965), Hants, Annapolis, Port Hood, Kings.

## Site Status

1. Baddeck has completed scanning their books, with only Quality Control and uploads remaining.
2. Guysborough books will be scanned and uploaded by December 31.
3. Lunenburg will not be completed by the end of the year as the last 65 books all contained many plans, in some cases 60 plans per book. We are trying to get all books scanned and to perform QC and uploads as time permits.
4. Digby scanning is continuing smoothly, with a March end date.
5. Annapolis scanning has been completed.



## Outstanding Sites To Be Started Next Fiscal Year for the 60-year Scanning

County Office	Books to Scan	Completion Date
Yarmouth	558	6 months from start date
Shelburne	398	4 months from start date
Cumberland	618	6 months from start date
Richmond	291	3 months from start date
Queens	343	3 months from start date
Total Books remaining	2306	23 months to complete based on 5 books/day

# E- Submission and Financial Process

## Financial Accounting user

As part of implementing document E-submission each Property Online client will have one financial accounting user, who will have a Property Online user name and password. This will give him/her query access, and the ability to view online the Property Online invoices and the E-submission Pre-authorized Payment notices. The financial accounting user will receive E-submission Notices of Receipt and E-submission Pre-authorized Payment Notices.



## E-submission Notices and What They Mean

### 1. Notification of Receipt

When a lawyer “submits” an e-form, the system automatically generates an e-mail back to the authorized lawyer. The lawyer will receive either:

- a Form 44-E, Form 46-E or Form 47-E Notification of E-submission Receipt (ROD documents) **or**
- a Notification of E-submission Receipt (LR document).

### Reason for Notification to the financial contact person:

These receipts are “notices only” and just serve to notify how much money will be taken out of the trust account once the document has been reviewed and accepted for registration or recording. This receipt is a trigger that someone in your firm has E-submitted a

document to the Land Registration Office. It lets the financial contact person know who did it, and prompts the financial contact person to ensure that the appropriate funds have been transferred to the SNSMR trust account.

**NOTE:** Both the E-submitter and the financial accounting user receive this notice by e-mail, but only the submitter can view it on the View Notifications screen in Property Online.

### 2. Notification of Acceptance for Registration/Recording

When the document has been reviewed and accepted at the LRO, the lawyer will receive either:

- a Form 44-E, Form 46-E or Form 47-E Registration Notification (ROD documents) **or**
- a Statement of Registered and Recorded Interest (SRRI) (LR documents).

### 3. E-Submission Pre-Authorized Payment Notice

This notice is generated for each lawyer in the law firm where documents have been registered/recorded that day. The associated fees are to be debited from the SNSMR trust account that night.

### Reason for Notification to the financial contact person:

This notice tells the financial contact person how much is being debited from the trust account for each lawyer. It is important to note that the amount taken out of the

trust account is the total of all the “E-submission Pre-authorized Payment Notices” generated for that law firm on that date.

**Notes**

- If the funds have not yet been transferred, the associated E-payment may “bounce.”
- The notice is sent only to the lawyer and the financial contact person for that firm.
- The report summarizes what has been taken out of the SNSMR trust account for that user only.

**4. Notice of Rejection**

A document that does not meet the department’s acceptable criteria is rejected and a notice is generated and e-mailed back to the lawyer. No money is taken out of the trust account. This notice only goes to the lawyer and not the financial contact person. If the financial contact person requires the Notice of Rejection, it will have to be forwarded by the lawyer. Samples of some of these documents can be found on the E-submission web site at [www.gov.ns.ca/snsmr/property/e-submission](http://www.gov.ns.ca/snsmr/property/e-submission) -- click on E-submission Financial Process.



Affidavit Page, *continued from Page 4*

On the “Review and Sign” screen, the DDT statement should be changed **from:**

“The Registrar of Land Titles will collect the Deed Transfer Tax payable for this parcel on behalf of the Municipality.”

**to:**

“There is no deed transfer tax payable on this transfer, or the parcel being transferred is located in a municipality that does not collect Deed Transfer Tax.”

**Note:** There is no requirement to check the DTT exempt box on the affidavit page.

**2. DTT Exempt in Halifax (e.g. Tax Deed)**

If claiming DTT exemption, the sale price still needs to be filled out. By checking the DTT exempt box on the affidavit page, the Deed Transfer Tax will not be calculated. You are

also prompted to provide a reason for exemption from DTT. If you do not provide a reason, LRO staff will reject the document.

On the “Review and Sign” screen, the DDT statement should be changed **from:**

“The Registrar of Land Titles will collect the Deed Transfer Tax payable for this parcel on behalf of the Municipality.”

**to:**

“There is no Deed Transfer Tax payable on this transfer, or the parcel being transferred is located in a municipality that does not collect Deed Transfer Tax.”



# *Merry Christmas from Everyone at Land Programs!*



*From all of us to all of you, may your holiday season be filled with peace and love, and may good health and happiness be yours throughout the New Year.*

