



# DEEDS AND DIALOGUE

Issue Number One h h h July 2000

## **VISION**

*The Registry 2000 Project is a strategic initiative to modernize the Nova Scotia land tenure system. The vision of Registry 2000 is twofold:*

- C to implement a modernized land titles system in Nova Scotia to replace the current names based registry system, and*
- C to provide integrated access to all land related information through an electronic system which can be accessed remotely.*

Welcome to the inaugural edition of **Deeds and Dialogue** – the newsletter aimed at keeping you informed about the Province of Nova Scotia’s Land Records Reform Project (Registry 2000).

## **OUR PROGRESS TO DATE**

We’ve made a great deal of progress on the Registry 2000 project and there is still much to be done. [KEY: / - step completed 9 - work in progress]

### **Preparatory Phase: September 1, 1997 to February 28, 1999**

- / Roundtable Stakeholder Workshop(s)
- / Business Area Analysis Report Review
- / Develop Registry 2000 Strategy paper
- / Conduct preliminary evaluation of land titles legislation
- / Obtain Stakeholder commitment to strategy
- / Assemble resources to carry strategy forward

### **Phase One: March 1, 1999 to December 31, 2000**

- / Establish Legislative Review Committee to undertake research and to draft a discussion document
- / Release discussion paper in January 2000
- / Complete stakeholder consultation
- / Evaluate readiness of data, procedures and technology environment to support recommendations
- / Proceed on short-term opportunities identified in BAA recommendations
- 9 Develop implementation strategy and business case for subsequent phases during the next three to five years
- 9 Present recommendations to Government and to stakeholders

## WE'VE REACHED SOME MILESTONES

C Workshop to release discussion paper	January 13, 2000
C Consult with Western provinces	March 31, 2000
C Complete readiness review	March 31, 2000
C End formal consultation period	April 30, 2000
C Complete high-level process review	May 15, 2000
C Project initiation document signed off	June 30, 2000
C Preliminary Cost Analysis complete	June 30, 2000

## UPCOMING MILESTONE DATES

C Complete analysis of consultation feedback	July 31, 2000
C Preliminary Business Case complete	September 1, 2000
C Consumer Cost analysis complete	September 30, 2000
C Issue papers finalized	September 30, 2000
C Complete recommendations on Phase Two	November 30, 2000
C Approval of Phase II received	December 31, 2000

## CONSULTATION PROCESS

Since January, we have undertaken a comprehensive consultation on the contents of the Discussion Paper and the draft legislation. This consultation has reached out to all stakeholders working with and using the system, as well as members of the public and representatives of other jurisdictions. The official consultation period ended on April 30, 2000.

### Consultation Statistics:

C Discussion Papers Distributed:	1,000
C Executive Summaries Distributed:	500
C Submissions/questions received:	56
C Presentations Given:	40+
C Articles Published:	10+
C Media Interviews:	6
C Web site hits:	1,000+

Criss-crossing the province, members of the project team met with diverse groups, each with a vital interest in the

reform process — the County Bar Associations, the Nova Scotia Surveyors Association, local members of the Canadian Bankers Association,

municipalities, title searchers, Land Information Services employees, the Halifax Chamber of Commerce, large land owners, and many more.

## **YOUR FEEDBACK COUNTS**

The Registry 2000 project has received approximately 50 submissions by e-mail and letter, as well as more than 70 phone calls for additional information. Each inquiry and comment has been responded to by members of the Registry 2000 team.

In compiling the feedback, a pattern began to emerge. There is wide spread support for the Registry 2000 vision, and no group or individual saying we should not proceed. Across the spectrum of stakeholders, certain concerns were raised about specific issues. (Continued on page 4)

## **FREQUENTLY ASKED QUESTIONS**

**Q. What are the biggest changes under the proposed Land Registration Act?**

**A.** The government will be guaranteeing the fee simple ownership of registered parcels. Also, the system will be parcel-based, not names-based as it is under the Registry Act. Documents entering the Land Registry will be indexed to the unique location of the land parcel affected.

**Q. How will the Act affect me as a landowner?**

**A.** For the most part, the Land Registration Act will not affect your rights as a landowner. Conversion to the Land Registration Act will not be necessary unless you transfer the property for value, mortgage the property, or subdivide it into three or more lots. Until one of these events occur, you will not have to do anything differently than you do today. If you sell your property, your buyer will have to bring the land into the new system.

**Q. If my mother or father gives me a piece of property, is registration in the new system mandatory?**

**A.** Gifts of land by family members need not be registered in the new system. Conversion is not mandatory unless the transfer is for value.

**Q. Will I need a boundary survey to have my parcel registered in the new system?**

**A.** No, the new system will not guarantee boundaries or extent. The cost of a survey for each property would outweigh the benefits at this time. By maintaining the status quo and not guaranteeing boundaries, the system can move forward, however, boundary guarantees are a long-term goal.

**Q. Will the process of mapping the province continue?**

**A.** A parcel-based Land Registration system depends on accurate and up-to-date mapping. Although all of the province has been mapped, there are areas that require further work to improve the quality of the data. That work will be ongoing.

**HOW CAN WE REACH YOU?**

Contact us by phone (424-5619), fax (424-5872) or e-mail ([Reg-2000@gov.ns.ca](mailto:Reg-2000@gov.ns.ca)) to let us know how you want us to reach you, or return this form to us by mail at the Land Records Reform Office, 1601 Lower Water Street, Halifax, N.S. B3J 2M4.

Please remove my name from your mailing list. My name is \_\_\_\_\_  
Please send "Deeds and Dialogue" to me at my e-mail address: \_\_\_\_\_

If we don't hear from you we'll continue to send the Registry 2000 newsletter to you.

**SOME OF THE HOT TOPICS!**

- C **Judgments** - Feedback ranged from "Keep the names-based judgment register as it is with a 20-year period." to "Eliminate names-based judgments and reduce the judgment life to five years with no renewals." An issues paper is being prepared to review the pros and cons of all suggestions.
- C **Boundaries** - Several individuals suggested the system should guarantee boundaries. Others suggested more work on mapping is needed before implementation of the system.
- C **Adverse Possession** - There is support for eliminating the right to start a claim of adverse possession on properties registered in the new system.

- C **Conversion Triggers** - Some suggested we need to include more conversion triggers, others that only transfers for value should trigger conversion.
- C **Certifying Title to the System** - Alternate conversion options were brought forward, as well as suggestions to broaden the list of those who can certify title.
- C **Registration Districts** - County Councils and others stressed the importance of maintaining registries in each county.
- C **Property Identification Numbers (PIDS)** - Some innovative suggestions included using the PID to replace the legal description after first registration; requiring PIDs on all documents; and adding a PID pre-approval process to prevent bottlenecks.

## LAND TITLES ACROSS CANADA

While the consultation period was ongoing, Registry 2000 team members were also investigating other Canadian jurisdictions to learn from their experiences. Real Property registration systems in New Brunswick, Ontario, Saskatchewan and British Columbia were examined to determine what works, what doesn't, and what Nova Scotia can do to effectively develop a land tenure system custom-built for our own needs. A written report on observations from these visits has been prepared and is available from the Registry 2000 office.

## THE LINES OF COMMUNICATION

### Land Records Reform Office

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### Registry 2000 Project Team

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