

Registry 2000's Mark Coffin to be Nova Scotia's First Registrar General

Registry 2000's Project Solicitor Mark Coffin will become Nova Scotia's Registrar General of land registration on March 24, 2003 when the new land registration system comes into effect in Colchester County.

One of the prime architects of the new system, Mark has been working on the Registry 2000 project for three years. Before joining the provincial government he worked with the Nova Scotia Barristers' Society for one year. Prior to that he practiced real property law for 13 years in Bedford. He graduated from Dalhousie Law School in 1983.

As Registrar General, Mark will be responsible for the effective application of the *Land Registration Act*, the regulations and related policies and procedures. He has been appointed for a two-year term and will continue to be a key member of the Registry 2000 Project team.



Countdown to Colchester

The Project Team is working closely with the Alpha Site Working Group to prepare for the March 24 launch of the new land registration system in Colchester County. In December 2002, the group met in Truro to review a draft implementation plan and discuss preparations details. Feedback received at that meeting is helping to improve the rollout plan.

The Alpha Site implementation is being led by: Robert de Vet (responsible for technology solution), Nancy Saunders (business change issues), and Shelley Archibald, Registrar (responsible for staff issues).

page 2. Consisting of four distinct components, the plan outlines the approach, activities, roles, and responsibilities of all implementation participants.

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A brief outline of the implementation plan is set out on

Preparation Phase: Jan. 2 – Feb. 23

This period is being used to prepare the final steps for implementing the new system. These include: testing the system to remove bugs, training staff and users, converting existing data, completing documentation of policies and procedures, finalizing regulations, preparing communications tools, and checking site readiness.

Preparations for the release of the new version of the government's Internet land information system, *Property Online*, are also being made. Lawyers and surveyors who want to work in the new land registration system will need to sign a new user agreement for access to this application.

Traditional Registry Implementation: Feb. 24

On February 24, 2003 the new system will be going live in Colchester for staff to use in the traditional registry and mapping processes. This will give the staff an opportunity to be familiar with the new application before the land registration rules and procedures come into effect.

Property Online Implementation: early March

In early March, current subscribers to *Property Online* will be offered access to the new version of the application. Users will have access to the current version and the new version for a one-month period, to allow them to become familiar with some of the new features.

Land Registration Implementation: Mar. 24

The final phase of the plan outlines the activities required to implement the land registration components of the system. Upon proclamation of the *Land Registration Act*, the system and processes required to support this Act will be put in place.

The Alpha Site Working Group members reviewed the plan and made recommendations for adjustments. Overall, group members were very supportive of the state of the plan and preparations. Upon their recommendation, documentation and brochures are being provided to the Colchester County Bar to assist them with communications to their members.

Technology Solution Component Update - Putting the Project to the Test

As of mid-December our system developer, CARIS, delivered all of the new functionality that the application requires for the Colchester implementation of the land registration system. Since then, the primary technology focus has been on testing the new system.

The testers, including some property mapping and registry staff, plus some Eastbridge personnel, have been busy running test business transactions that are representative of those that will be performed once the *Land Registration Act* is proclaimed on March 24. In addition, the technology team has been running a series of performance tests that mimic high-usage scenarios to help identify potential bottlenecks in the network or technical infrastructure. The objective is to determine the "breaking-point" of the system and to ensure that the number of intended users is lower than this threshold. Testing, and the subsequent adjustments, continued through January with the goal of meeting full system readiness by mid-February.

The technology team has also been busy preparing a plan detailing the activities and tasks required for changing over to the new system. One luxury the team has for the implementation of this system is that it can be done in stages over a multi-week period. This approach gradually introduces users to the functions the system can perform, and allows the technology team to better manage the after-hours activities that will be performed during weekends and evenings.

Working Group Round Up



Communication

With implementation in Colchester County drawing ever closer, the Communications Working Group is striving to ensure that stakeholders have the tools available to clarify and simplify the new processes.

Brochure development continues to be a primary focus. Two have been widely distributed:

- The New Land Registration System - How Does It Affect Landowners?
- Changes to the Subdivision Process

Five more brochures are currently at the printers:

- How do I Register My Land?/How Do I Get My Parcel Description Certified?
- Property Online
- Fees/Hours of Operation/Land Registration Office Contact Information
- Changing Information in the Parcel Register
- Judgments under the LRA

We are making these new brochures available through registry offices, access centres and assessment offices. As well, copies of all brochures can be obtained electronically through the Registry 2000 website -

<http://www.gov.ns.ca/snsmr/property/registry/brochures/>

Project team members will be making, or have made, presentations at the following conferences: the Canadian Bar Association (Jan. 31 in Halifax), the Real Estate Lawyers Association of Nova Scotia (Feb. 21, Halifax), and the Nova Scotia Association of Realtors (Mar. 20 in Halifax).

Fees

In December 2002, Cabinet approved the fee schedule recommended by the Fees Working Group. Highlights include the elimination of the \$70 fee for filing judgment declarations and retracement survey plans. There are also no fees for submitting applications electronically. Other fees for document filing have been kept at the current level of \$70 per document. A detailed list of the fees are set out in this newsletter.

Legislation

The Legislation Working Group completed its work on drafting the regulations and review of the standard forms in November. Since then the regulations and forms have been through many changes, and have been tested in conjunction with LRA and system procedures. In December Cabinet passed the Land Registration General Regulations that set registration districts and fees for the new system and proclaim the *Land Registration Act* in Colchester, effective March 24, 2003. The general regulations also set out transition provisions for transfers, mortgaging, subdivisions, and condominium registrations that have occurred prior to the LRA coming into force.

The Minister's regulations (which include the standard forms) have been finalized. Both sets of regulations are now posted on the Registry 2000 training website -

www.gov.ns.ca/snsmr/property/registry/training/

LRA Agreement

The draft LRA Agreement has been finalized and approved by Bar Council. It will be signed by the Minister of SNSMR and the President of the Nova Scotia Barristers' Society in mid-February.

Migration Acceleration

The working group's recommendations have been finalized and will soon be presented to senior management. Recommendations include continuing discussions on migration management with large landowners, and conducting a Crown Lands migration project in Colchester County.

Procedures

The comprehensive electronic Land Registration Manual is being finalized with detailed system steps and processes created or adjusted by the LRA regulations. The manual includes all of the new processes for land registration plus all traditional registry and property mapping procedures. Procedures needed by external groups are included in training materials and will be posted online soon.

Working Group Round

Standard Forms

The standard forms are complete and have been approved as part of the LRA administration regulations. Printable versions of the forms can be found on our training website. The forms instruction manual is in its second draft and will be incorporated into the training material for external groups and staff.

Surveyors

The working group has developed a *Land Registration Act* Agreement in draft form for consideration by senior management and the Association of Nova Scotia Land Surveyors. We are also continuing to discuss mapping and other issues affecting the project.

Training

Registry 2000 just launched its training website:
<http://www.gov.ns.ca/snsmr/property/registry/training/>.

This valuable resource contains links to

- the training schedule for all stakeholder groups
- training materials for each group
- printable versions of the Standard Forms

- the LRA and regulations (including Mark Coffin's annotated version of the unofficial consolidated LRA).

The training team has been working with representatives from all external client groups to compile training material for the upcoming Alpha Site training. Training began in mid-January for some groups and continues through February and into March. Sessions include hands-on **Property Online** training and case work studies, providing lots of opportunity for discussion among the various professional groups and internal staff. The training team is also very busy putting together the theory and system portions of the training material to make sure it all fits together.

The staff in Colchester will undergo training for one week in February and a second week in March to prepare them for the two-staged implementation. During the time they are in training, staff from other registries will be handling transactions at the Truro Registry of Deeds.

Service Nova Scotia and Municipal Relations Welcomes New Department Leaders

Some pre-Christmas movement in the upper echelons of the Nova Scotia government has left Service Nova Scotia and Municipal Relations (SNSMR) with a new minister and a new acting deputy minister. Peter Christie, the former Minister of Community Services, has replaced Angus MacIsaac at the helm of SNSMR. A former mayor and councillor in Bedford, Mr. Christie is very much aware of most of the issues dealt with by Service Nova Scotia. Mr. Christie is ably assisted by acting deputy minister Greg Keefe, who has stepped into the deputy job from the position of Executive Director of the Program Management and Corporate Services Division.



Peter Christie- New Minister of Service Nova Scotia and Municipal Relations



Please Note: SNSMR has installed a new toll-free number for inquiries about the new land registration system and subscriptions to Property Online. Call 1-866-518-4640.

Land Registration Act and Registry Act Fees

(In effect on March 24, 2003 - Province-wide)

- The *Land Registration Act* (LRA) and the *Registry Act* do not require a fee to register or record a document if such a fee has already been paid to file, enter or register the same document under the other Act (*LRA* or *Registry Act*).
- All fees must be paid at the time of registration, recording or filing of the document referred to, or at the time the service is provided at the registry.
- If documents are combined or attached together, or if several instrument types are combined together in one instrument or document, each instrument or document type is considered to be separate and the fee is payable for each.

1. The fee for registering or recording a document, including a plan of survey **\$70.00**

Exceptions

The following documents are exempt from the \$70.00 document fee and may be filed free of charge

- a. a boundary retracement survey plan prepared by a surveyor authorized under the *Nova Scotia Land Surveyors Act*
- b. a statutory declaration respecting judgments
- c. an application form or cover page not registered or recorded in a roll or parcel register
- d. an Affidavit of Name Change when required by the *Land Registration Act*
- e. an abstract
- f. an Affidavit of Verification
- g. an owner's Authorization to Submit Application for Registration
- h. an Opinion of Title
- i. a Certificate of Legal Effect
- j. a Parcel Description Certification Application or amendment
- k. an Application for Registration

The registrar may waive the \$70.00 fee under the LRA for

- recording an application for review when the owner successfully appeals the registrar's refusal to rectify or revise a registration
- recording a request by an owner to correct an error in the registration, if the error was the responsibility of the registrar

2. The fee for registering, recording or filing a copy of any document referred to in an abstract that is not exempt from the \$70.00 filing fee and has not already been registered, recorded or filed as outlined in the *Land Registration Act* or the *Registry Act* **\$70.00**

3. The fee for processing incomplete or late documents and information that must accompany an Application for Registration. (This fee must be paid by the lawyer who has filed the incomplete or late documents) **\$100.00**

4. The fee for certification by a registrar of a document or extract (including electronic data) **\$10.00**

5. The fee for a Certificate of Registered Ownership issued by a registrar **\$25.00**

6. The fee for searching any books, indexes or files, per person, per half day **\$5.00**

7. The fee for each registered or recorded document required by a registrar to be produced for inspection **\$2.00**

8. The fee for copying registered or recorded documents (or extracts), per photocopied page **\$1.00**

9. The fee for entering and registering the following documents under the *Condominium Act*:

- declarations **\$100.00 plus \$10.00 per unit**
- any following documents (by-laws, etc.), per document **\$35.00**
- certifying any document under the Act **\$25.00**

Recording Judgments Under the LRA

Proclamation of the *Land Registration Act* (LRA) on March 24, 2003, will create changes to the recording of judgments against real property province-wide. The information below is provided to clarify the process.

- ◆ Effective March 24, 2003, the current judgment provisions in the *Registry Act* will be replaced and a new Judgment Roll will be established in each of the 18 counties.
- ◆ A judgment recorded in a Judgment Roll is only effective in that county. In order to attach a judgment to land owned by the judgment debtor elsewhere in the province, the judgment must be recorded in other Registries of Deeds or Land Registration Offices where land owned by the judgment debtor is situated.
- ◆ A judgment may be recorded in any of the 18 Judgment Rolls, even if the debtor does not presently own land, in case they might at some point in the future.
- ◆ All judgments presented for recording at the Registry of Deeds or LRO on or after March 24, 2003, **must** contain
 1. For the judgment creditor:
 - a. Address for service
 - b. Sufficiently detailed and accurate name so as to permit the name to be distinguished from all other like names
 2. For the judgment debtor:
 - a. Name & address
 - b. Information that tends to distinguish the judgment debtor from all other persons of the same or similar name
(**Note:** Date of birth is information that tends to distinguish for the purposes of the *Land Registration Act*.)
 3. Amount owing as ordered by the Court
 4. Name of lawyer for both parties, if any.
- ◆ Judgments recorded on or after March 24, 2003, are valid for five years from the date of recording and may be renewed three times, each time for an additional five-year period.
- ◆ To renew a judgment recorded after March 24, 2003, the judgment creditor must prepare and record a Certificate of Judgment Renewal, **before the judgment recording expires**.
- ◆ If a judgment is not renewed within the five-year term, it cannot be renewed or re-recorded.
- ◆ It is the responsibility of the judgment creditor to keep track of when the judgment's recording will expire. No notification will be sent to the judgment creditor.
- ◆ A judgment recorded after March 24, 2003, will be deemed removed from the Judgment Roll when a Certificate of Satisfaction is recorded. When the new system is in place province-wide, satisfied judgments and judgments that have expired and not been renewed will be removed automatically. When a judgment is removed from the Judgment Roll, it is archived and is no longer viewable by the public.
- ◆ Judgments may be fully or partially released, in the same manner as today.
- ◆ There is a \$70.00 fee for recording a judgment in a Judgment Roll.
- ◆ The cost of recording a new Certificate of Judgment Renewal every five years is \$70.00.



www.nspropertyonline.ca

Property Online is an Internet browser application which provides online access to land ownership and related information collected through the province’s Land Registration Offices, Registries of Deeds and other sources. The **Property Online** database contains ownership information, including property maps for the entire province, and is available to subscribers. Lawyers who wish to be certified to work in the new land registration system and plan to submit Parcel Description Certification Applications (PDCAs) and Applications for Registration, and surveyors who plan to submit PDCAs, **are required to subscribe** to **Property Online**.

What are the Benefits of Subscribing?

The information contained in **Property Online**, which can be accessed from any desktop computer, can be searched by Parcel Identification Number (PID), owner name, assessment account number, civic address, and geographic location (e.g. city, county). As well, the service can be used to create and print customized maps. A new version of **Property Online**, being released in March 2003, will provide links to other property information such as the Grantor Grantee Index at the Registry of Deeds, and outstanding municipal tax balances for participating municipalities.

What Types of Access are Available?

Type of User	Type of Access	Who Can Be a User?
<i>Query Access Only</i>	Allows the user to query land ownership and related property information	Anyone who enters into a User Agreement
<i>Parcel Certification (includes Query)</i>	Allows the user to query land ownership and related property information and electronically submit Parcel Description Certification Applications on behalf of parcel owners	Individuals authorized by the Regulations (initially this includes only lawyers and surveyors) who enter into a User Agreement
<i>Authorized Lawyer (includes Parcel Certification and Query)</i>	Allows the user to query land ownership and related property information, electronically submit Parcel Description Certification Applications and electronically submit draft and final form Applications for Registration on behalf of parcel owners	Practicing, insured members of the Nova Scotia Barristers’ Society who have completed the required education sessions and have entered into a User Agreement

What Does it Cost to Subscribe?

The monthly subscription fee of \$75.00 provides up to five hours of online search time, regardless of the user type. Additional search time is available at a rate of \$15.00 per hour. Multiple users in one company or organization may set up one account for billing purposes, to reduce the overall cost of **Property Online** access (Account Administrator Agreement). Each Parcel Certification and Authorized Lawyer User within an organization will still be required to sign an individual user agreement. Account administrators will also be authorized to change passwords and set up new users within the organization, subject to activation of the user by Service Nova Scotia and Municipal Relations (SNSMR), the government department responsible for this service.

How Do I Subscribe?

To subscribe to **Property Online** you must sign a **Property Online** User Agreement with SNSMR. You will need a computer that has Internet access and a web browser such as Netscape or Microsoft Internet Explorer. For details of hardware and software requirements and certified versions of Netscape and Internet Explorer, please go to the following website: www.gov.ns.ca/snsmr/property/registry/. To obtain further subscription details or more information, please contact the **Property Online** Administrator at 1-866-518-4640.

External Training Calendar

(Dates subject to change)

	3	4	5 Realtor Session, Truro	6	7	8
9	10 Realtor Session, Amherst	11	12	13	14	15
16	17	18 Lawyer Module-2 Halifax #1 Lawyer Module-2 Truro #1	19 Legal Staff System Training, hands-on PDCA/AFR, New Glasgow	20 Lawyer Module-2 Halifax #2 Lawyer Module-2 Truro #2	21 Legal Staff System Training, hands-on PDCA/AFR, New Glasgow	22
23	24 Traditional Registry Goes Live on LIN-NS Realtor Session, New Glasgow	25	26	27 Housing Session, New Glasgow Surveyor Training, Truro	28 Realtor Session, Windsor	1
M A R	3 New version of Property Online released Surveyor Training, Halifax	4 Lawyer Module-3 Halifax #1 Lawyer Module-3 Truro #1	5 Legal Staff System Training, hands-on PDCA/AFR, New Glasgow	6 Lawyer Module-3 Halifax #2 Lawyer Module-3 Truro #2	7 SESSION FULL Legal Staff System Training, hands-on PDCA/AFR, Halifax	8
9	10 March Break	11	12	13	14	15
16	17	18 Lawyer Module-4 Halifax #1 Lawyer Module-4 Truro #1	19 Legal Staff System Training, hands-on PDCA/AFR, Halifax	20 Lawyer Module-4 Halifax #2 Lawyer Module-4 Truro #2	21 Legal Staff System Training, hands-on PDCA/AFR, Halifax	22
23	24 LRA Goes Live in Colchester	25	26	27	28	29
30	31 Assessment Info Session, Truro	Additional sessions will be scheduled in April-May and before rollout in each region of the province.				



Registry 2000 Project Office
 Service Nova Scotia and Municipal Relations
 1505 Barrington Street, 9th Fl. S, Maritime Centre
 Halifax, Nova Scotia B3J 2Y3
Phone: 902-424-5619 **Fax:** 902-424-0639
E-Mail: Reg-2000@gov.ns.ca

Registry 2000 Contacts

Deeds and Dialogue Editor: Arlene d'Eon 424-4084
Project Director: Gretchen Pohlkamp 424-5316
Project Solicitor: Mark Coffin 424-7228
Business Application Owner: Robert deVet 424-5022
GIS Coordinator: Bernie Gunning 424-4351
Property Registration Director: Peter Kittilsen . . . 424-6335
Process Change Coordinator: Nancy Saunders . . . 424-4305
Project Assistant: Carol Pierre 424-5619
Technology Solutions Component: Andrew Creaser 424-3025
Communications Advisor: Steve Smith 424-1847