

Technology Solutions Component Update

On Friday January 18th, 2002, Nova Scotia signed an agreement to acquire the New Brunswick CARIS LIN software as the base for the new Nova Scotia land titles system. The Registry 2000 Team is very excited about moving forward with the next part of the Technology Solutions Component of the project. The CARIS LIN system will provide an excellent starting point for the development of the new Nova Scotia system.

Over the last few months we have carefully looked at the functionality in the CARIS LIN system. A clear picture is emerging in terms of what it can do today and what gaps need to be addressed to fulfill the operational mandate of SNSMR and meet the requirements of Nova Scotia's *Land Registration Act*. While doing this comparison our approach has always been to first investigate all possible ways that our proposed business processes can be adapted to fit the existing New Brunswick solution. Only where modification is found to be too difficult have we identified new requirements.

The functionality currently supported in New Brunswick through CARIS LIN is as follows:

- Traditional Registries, traditional property mapping, Land Titles Registry;
- Scanning of submitted documents and retrieval of scanned images;
- Connectivity between the electronic map (GIS) and the parcel attribute data;
- Internet access for public queries; and
- Electronic submission of Parcel Descriptions and Applications for First Registration.

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This is also most of what we need the system to do to support our business in Nova Scotia. It supports the key aspects of our business (traditional names-based Registry, parcel indexing and Land Titles) in an integrated fashion. Despite this overlap, there are still some major differences between New Brunswick system and what is needed in Nova Scotia. This is due to the fact that our operational and legislative environments are different. The gaps include:

- Functionality to enable the bi-weekly data flow between the Registries and Assessment;
- An integrated financial module that will allow us to issue receipts and manage cash balances and perform other financial tasks;
- The ability to receive Deed Transfer Tax and non-residency status.

There are also various areas where we want to make improvements because our current applications provide more functionality than the New Brunswick system. The main enhancements we are proposing are in the Grantor-Grantee and the Parcel Query modules.

Technology Solutions Component Update (Continued)

When Alpha Site is implemented, the new system will:

- Support the traditional Registry and property mapping
- Support the new Land Titles Registry;
- Allow submitted documents to be scanned at the front counter;
- Provide access to scanned images;
- Provide connectivity between the electronic map (GIS) and the parcel attribute data;
- Enable Internet access for public queries;
- Allow lawyers to electronically submit Parcel Descriptions and obtain PID approval;
- Facilitate on-line Applications for First Registration.

Since we are limiting the scope of new functionality for the Alpha Site roll-out, we intend to begin work on new functionality that will allow us to achieve our full Registry 2000 vision as we move forward with provincial roll-out. The new areas we will focus on first include:

- Electronic submission and registration of documents to permit lawyers to register documents electronically.
- Increased connectivity with external data sets to allow links to such information as outstanding tax balances, environmental liens, building permits, etc.

Both of these items are very dear to our hearts. New Brunswick is in the planning stages of developing electronic submission and registration functionality. We have had a first discussion with the Town of Truro to see if it would be possible to link municipal property tax information to the new system, but these discussions are at a very early stage. Impact on the Registry 2000 Team resources will count heavily in the timing of new features.

Progress has been made on other fronts as well. Our Technical Blueprint has been completed, and a clear picture is emerging on how the proposed system will fit into the Nova Scotia IT structure, what additional hardware and software will need to be acquired, and at what cost. Another area that has been addressed is the creation of a framework for system support.

Over the last few months our emphasis has shifted increasingly from analysis to planning and preparing for the actual system implementation. The detailed gap analysis performed by the Registry 2000 Team with the assistance of our Implementation Partner, Eastbridge Consulting Inc. has provided the foundation for our resource requirements and high-level timing of the various components that come into play. Planning sessions were held around other implementation areas such as training and the documenting and implementing of the required business process changes. All this will ensure that the project rolls out smoothly, users are properly trained and procedural changes are implemented smoothly.

Registry 2000 Project Office Has Moved

The Registry 2000 Team and the RIMS Division have relocated from Lower Water St. to the 9th Floor of the Maritime Centre located at 1505 Barrington St. All contact numbers and e-mail addresses have stayed the same.

Looking for something appropriate to wear to the office on casual day?

The Registry 2000 project office has light and dark denim shirts for sale. These button-up shirts sport a Registry 2000 crest and are a steal at \$ 25 each.

How do I Register a Parcel in the New Land Titles System?*

* This is the first in a series of How To articles to help explain new processes under the Act.

The *Land Registration Act* provides for voluntary and mandatory parcel registration. Registration requirements are the same in either case and are outlined in section 37 of the Act. They include:

1. The property identification number of the parcel ***certified by the registrar to match the description of the property*** [emphasis added].
2. Standard form Application for First Registration.
3. A standard form opinion of title certified by a qualified solicitor setting out:
 - a. The ownership of the fee simple.
 - b. The ownership of all other interests in the parcel.
 - c. Direct or indirect right of access to the parcel, if any, from a public street, highway or navigable waterway to the parcel appearing on the face of the record.
4. The abstract of title on which the opinion is based.
5. A standard form Affidavit of Verification that confirms that the solicitor's opinion is based upon the abstract of title required by the Act.
6. Evidence of compliance with the *Municipal Government Act's* subdivision and deed transfer tax requirements.
7. Any requirements prescribed by regulation.

Matching the PID: A Crucial First Step

In order to bring in a parcel, the property identification number (PID) will have to be identified by the party seeking to bring the property into the system. The PID match should be certified prior to closing in order to avoid registration delays. On submission of an Application for PID Pre-Approval (not necessarily the official name of this new form) with the legal description for the parcel and the appropriate PID, mapping staff at the registry will review the parcel's legal description and compare it with the provincial property map. In most cases, this will be a straightforward exercise.

The mapping will then be adjusted if necessary and

staff will certify that the assigned PID matches the legal description of the parcel.

Where the registrar cannot locate the parcel, the onus is on the applicant to provide such further information concerning the size and location of the parcel as will permit the registrar to determine the parcel identification number for the parcel and a geographical representation of the parcel, showing it in relation to neighboring parcels with reasonable accuracy.

The Act is quite clear on the consequences of not being able to locate the parcel. Subsection 37(8) says:

A parcel that cannot be located with reasonable accuracy or for which the description does not permit the creation of a geographical representation of the parcel ***shall not be registered***. [emphasis added].

Uniform standards for matching legal descriptions with PIDs are being developed, and stakeholder training will stress the PID match requirement.

Who Registers the Parcel on Migration?

The three most typical scenarios are as follows:

1. **Transfer for value:** The *Land Registration Act* is silent on which party to a transaction is obliged to register the parcel. Depending on preference, timing and of course the terms contained in the Agreement of Purchase and Sale, it could be either the vendor or purchaser who sees to the parcel's registration.
2. **Three or more lot (non-family) subdivision** The owner of the parent parcel will be required to register it prior to subdivision approval and conveyance of the infant parcels.
3. **Mortgaging:** The mortgagor is required to register the parcel.

Registry 2000 Working Groups Update

Most working groups are holding regular meetings and the remaining groups will start as the project continues to develop. Recent Working Group activity includes:

- **Systems Requirements and Alpha Site** - A meeting was held with the Colchester County Title Searchers in the Truro Registry to provide an overview of the project and the proposed system functionality. Everyone present agreed that this was worthwhile and that these meetings should be held on a regular basis. It was decided that we will meet in Truro whenever there are new developments or when functional or logistical issues arise that require local or business expertise. Overviews of the proposed system functionality were provided to several other groups of stakeholders and most of the outstanding issues have now been resolved in consultation with our business experts.
- **Communications** - The Communications Working Group continues to meet monthly. In addition to publishing *Deeds and Dialogue*, this group is developing a strategy for public education and will be focusing on broadened communications with Registry staff and stakeholders in preparation for the Colchester implementation later this year.
- **Fees** - Fees for the new land registration system will be set by the Governor in Council, pursuant to the *Land Registration Act (LRA)*. The Working Group is continuing to discuss a fee structure for the new system and is expected to provide its recommendations to senior management this Spring.
- **Standard Forms** - The Standard Forms WG has been compiling a list of all forms and related information required by the LRA. Immediate efforts concentrate on developing the Application for First Registration (AFR). This group is focused on providing a streamlined process for transactions under the new system.
- **Evaluation** - A working group of internal staff and external stakeholders has been initiated to evaluate the transition and final implementation of a modernized land tenure system. The working group has begun to develop a framework to measure progress and in future will be identifying data collection requirements and processes, and then educating future users of the new framework.
- **Legislation** - This Working Group continues to review the LRA and is developing regulations for use with the Act. These will include the forms developed by the Standard Forms Working Group.
- **Procedures** - Since our first meeting in October, subgroups have been working on accept/reject criteria for new land titles business processes and a review of the existing property mapping and registry manuals to prepare for integration into a land titles manual. The day-to-day business processes in New Brunswick's Saint John Registry were reviewed on site and detailed business process work is continuing.
- **Training** - The Training Working Group had their 'kick off' meeting in December. The group reviewed the implementation and resource planning for the training component of the project. The development of training material will begin in May, after the detailed business processes and system design, are complete.
- **Surveyors** - This Working Group is actively working with the Association of NS Land Surveyors to educate its members and the general public on two important changes that will be introduced by the new land registration system, or as a result of upcoming Municipal Government Act amendments:

 - a) PID pre-approval prior to parcel registration; and
 - b) Subdivision requirements for registered or unregistered parcels.

Surveyors are expected to play a central role in these two processes.

Registry of Deeds - February 1, 2002 Brings Important Changes

Since September 2001 SNSMR has been circulating information about ROD changes that come into effect February 1, 2002. The changes are outlined below.

Judgments:

Notices have been posted at court offices and Registries of Deeds to let users know that after February 1, 2002, Court Administration Office and Registry of Deeds staff will no longer accept any judgment certificates that do not comply with section 38 of the *Registry Act*. This section requires that the judgement include the names, address and description of the parties to the judgment. The inclusion of additional information, such as spouse's name, parents' names, former addresses, would further improve the quality of the information on file at the Registry. When the new *Land Registration Act* is proclaimed in the Fall of 2002, new judgment rules will come into force province-wide [see *Land Registration Act*, sections 65-69]. Section 38 of the *Registry Act* will be repealed and s. 67 of the *Land Registration Act* will take over.

Document in Document Fees

Over the past several years, Registrars of Deeds across the province have noted an increased tendency for those filing documents to combine several documents into one. Combined documents are only indexed by the first or main document and any other documents contained in the main document are not noted in the Grantor Grantee Index. As a result of this practice, some documents and land information are difficult to find and the completeness of the Grantor Grantee Index is impacted. Over time, this will compromise the integrity of Nova Scotia's land tenure system.

In order to remedy this situation, wording has been added to item one of the *Cost and Fees Act* Registry of Deeds Fee Schedule to clarify that the recording/filing fee applies to each document or instrument type when several documents are combined together. Starting February 1, 2002, Registry staff will be reviewing documents and charging in accordance with the regulations.

Fees for Release of Mortgage

Effective February 1, 2002:

- For all transactions closing on and after February 1, 2002, the fee for entering and registering a release of mortgage will be \$70.00.
- For all transactions closing prior to February 1, 2002, the fee for entering and registering the release of mortgage will continue to be \$40 plus \$1 per page, provided the release is registered before September 1, 2002.
- The fee set out in 2(b) will only apply if, at the time of registering the release, the lawyer/user provides the Registrar with written confirmation that the date of the transaction was prior to Feb. 1, 2002.

Consumer Information

Regular users of the Registry of Deeds will have noticed a recent change when receiving documents mailed back to them after registration. *Property Registries in Nova Scotia* is a brochure that is being included with each registered document and lawyers are being asked to distribute them to their clients.

Since the introduction of the Nova Scotia *Freedom of Information and Protection of Privacy Act* in 1993, Nova Scotians in general and government in particular have become increasingly aware of the requirement to ensure that information collected by government is used and distributed in a responsible manner. As custodians of real property ownership data, SNSMR wants to fully inform all our clients that our goal is:

“to achieve a balance between protecting the personal information you must provide during property transactions with the obligation of making information available as a matter of public record according to the Nova Scotia Property Registration System.”

The *Property Registries in Nova Scotia* brochure outlines the type of information we collect, what portion of the information is available to the public, how the information is used and how it is protected against improper use. The question and answer format covers both paper records and electronic data. The brochure is available in electronic form at the Property Registration web site: www.gov.ns.ca/snsmr/property/

JOINING SERVICE NOVA SCOTIA & MUNICIPAL RELATIONS ON-LINE IS BENEFICIAL FOR EVERYONE

Registry 2000 is one of many components of the provincial government’s focus on simplifying service delivery. The department is diligently working to make more services available on-line. The public can now use the Internet to register a vehicle, request birth, death and marriage certificates, renew and apply for business licences and search for property information using Service Nova Scotia and Municipal Relations’ secure on-line service. The Department’s goal is to offer 80 per cent of transactions on-line within four years.

These services can be accessed by logging on to www.gov.ns.ca/snsmr , or by using one of 22 Service Express computer kiosks in Registry of Deeds and Access Nova Scotia offices throughout the province.

One example of improved service levels is the on-line motor vehicle registration renewal. There are now four choices to renew vehicle registration: in person, by mail, by telephone and on-line either at home or by using the Service Express self-serve computer terminals.

Back in 1996, the four Atlantic Provinces and Unisys Canada developed Atlantic Canada On-line (ACOL). Since then, the department has introduced a number of on-line services including the Personal Property Registry (PPR) and the Nova Scotia Business Registry (NSBR) service through ACOL. The PPR, which went live in November, 1997, is an on-line database of security interests against property such as cars, boats, RVs, motorcycles and fixtures like furnaces and appliances. The NSBR, fully operational since October 2001, enables business owners to register their businesses, renew licenses and pay fees from any computer with an Internet connection, rather than having to make separate visits to various government offices.

SNSMR has plans to partner with other departments and municipalities to deliver more internet-based transactions such as on-line payment for parking tickets.

Interestingly, a recent Ipus-Reid survey put Atlantic Canadians ahead of the rest of the country in their likeliness to use the Internet for web-based government transactions. According to the Toronto based polling firm 75% of Atlantic Canadians said they would use the web to interact with government. This statistic is reinforced by the activity of the Nova Scotia Business Registry. During its first quarter of operation, almost 20% of all company name reservations were submitted on-line.

Registry 2000's vision of a streamlined electronic land registry fits in well with the larger government initiative to ensure that all Nova Scotians have convenient, efficient access to services.

LINES OF COMMUNICATION



Land Records Reform Office
 Service Nova Scotia and Municipal Relations
 1505 Barrington Street, 9th Fl. S, Maritime Centre
 Halifax, Nova Scotia B3J 3K5
 Phone: 902-424-5619 Fax: 902-424-5872
 E-Mail: Reg-2000@gov.ns.ca

Registry 2000 Contacts

Deeds and Dialogue Editor: Arlene d’Eon	424-4203
Project Director: Gretchen Pohlkamp	424-5316
Project Solicitor: Mark Coffin	424-7228
Business Application Owner: Robert de Vet	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
Communications Assistant.: Shera-Lee Kerr	424-5061

To review back issues of the newsletter or obtain additional information about the Project please visit our website at: <http://www.gov.ns.ca/snsmr/property/registry/>