



Ontario

Ministry of
Consumer and
Commercial
Relations

Ministère de la
Consommation
et du
Commerce

Registration
Division

Division de
l'enregistrement

393 University Avenue
Toronto, Ontario

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EM199406

MEMORANDUM TO: Land Registrars

FROM: Ian Veitch
Director
Real Property Registration Branch

RE: **REGISTRATION OF COVENANTS**

I have recently become aware of a practice in some offices whereby registrants who tender a transfer in land titles with covenants contained in it are charged only one registration fee, although the document is assigned two registration numbers. This practice of charging only one fee is contrary to Branch policy as set out on Page 5929 of the Document User Guide. It is a long standing practice, that these interests are contained in one document even though they are in fact two different interests being registered and abstracted. This practice is an exception to the multiple document rule and is for the convenience of the users however, the registrant must be charged the fee outlined in the regulation.

In the registry system, covenants may be included in a transfer/deed. However, they are not given two registration numbers or abstracted as two separate instruments and no additional registration fee is charged (see page 5933, Document User Guide).

Would you please ensure that, in future, a separate registration fee is charged for covenants contained in transfers in the land titles system. Given that the current practice has been in place in some offices for some time, and that you will require some time to notify your clients and allow them to complete any transactions in progress, it will be satisfactory to implement this directive effective January 1, 1995. Please contact me if you have any questions or concerns.

cc: Regional Managers
Head Office Managers
Legal Services