

DIRECTOR OF LAND REGISTRATION



BULLETIN NO. 72028

THE REGISTRY ACT, s. 78(7)

DATE: August 30, 1972.

TO:
MASTERS OF TITLES
REGISTRARS OF DEEDSPLANS OF SUBDIVISION TO BE
SIGNED BY APPARENT OWNERS

A practising solicitor recently inquired of my office whether a deed to a person of the land included in a plan of subdivision registered after the plan signed by that person as owner had been registered would be sufficient compliance with subsection 7 of section 78 of The Registry Act. Since there is a clear directive to the Registrar in the subsection, it must be assumed that in the situation to which the solicitor referred, the Registrar had knowledge of the outstanding unregistered deed.

Where a plan of subdivision is presented for registration, but a person by whom it is signed as owner does not at that time appear "on the registry books to be the owner of the land", the plan should not be accepted for registration. To register a plan in such a case, even though the deed is subsequently registered, could create title problems causing solicitors to make unnecessary requisitions.

REP:mt

Richard E. Priddle,
Director of Land Registration.