

Ministry of Consumer and Commercial Relations

Registration Division

Property Law Branch BULLETIN NO. 87008

DATE: June 22, 1987

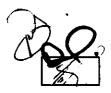
TO: ALL LAND REGISTRARS SUPPORT AND CUSTODY ORDERS ENFORCEMENT ACT, 1985

REGISTRATION REQUIREMENTS
FOR SUPPORT ORDERS UNDER LAND
TITLES AND REGISTRY ACTS

The Support and Custody Orders Enforcement Act, 1985 came into force on March 1, 1986. Section 10 permits a support order as defined by that Act to be registered against the land of a person against whom an obligation to pay money under the order is enforceable in Ontario. Upon registration, the support order becomes a charge on the property, and may be enforced by sale in the same manner as a sale to realize on a mortgage.

The definition of "support order" in the above Act includes a provision in a marriage contract, cohabitation agreement or separation agreement that is enforceable under Section 35 of the Family Law Act, 1986, as well as an order made by a court in or outside Ontario providing for support payments or other provisions for support.

Support orders made by Ontario courts on and after March 1, 1986 will be filed by the clerk or registrar of the court in the office of the Director of Support Unless the person who and Custody Enforcement. instituted the proceedings files with the court and the Director a notice stating the person does not wish to have the order enforced by the Director or unless the order is withdrawn, the order will be enforced by the Director as will be marriage contracts, separation agreements and cohabitation agreements filed under Section 35 of the Family Law Act, 1986 and with the Support orders made before that date which Director. were enforceable under Section 27 of the Family Law Reform Act will be similarly filed with the Director. Support orders made by courts outside Ontario may also be filed in the Director's office and enforced by the Director unless notice to the contrary is given. Support orders not filed in the Director's office, or filed and withdrawn, may be enforced by the person entitled to support thereunder.



Under both the land titles and registry systems, a statement that the document contains support provisions and is enforcebale against the land described in Box 6 of the Document General pursuant to Section 10 of the Support and Custody Orders Enforcement Act, 1985 will be required at the time of registration of a support order.

In the land titles system, where a support order which has become a charge on property is being enforced by way of sale, the sale may be carried out in all cases, by the Director of Support & Custody Enforcement or by the person entitled to support, provided the Director consents to the sale. In the registry system, the land registrar need not ensure that the Director consents.

With respect to the discharge of a support order which has become a charge, the discharge may be given:

a) by the Director;

b) by court order pursuant to subsection 10(3) of the Support and Custody Enforcement Act, 1985; or

of the Director. In the registry system, for the purpose of registration the consent of the Director is not required on a discharge executed by the person entitled to support. However, the land registrar will not rule out the charge, if the Director has not consented to the discharge.

Pursuant to subsection 2(6) of the Act, an enforcement officer may act for the Director and in his or her name. An enforcement officer may, therefore, execute any document for the Director.

Attached herewith you will find some draft examples of support orders executed by the Director of Support & Custody Enforcement as well as by a person entitled to support.

This Bulletin supersedes Bulletin 86011.

FOR OFFICE USE ONLY

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Province	Document General	87008	DYE & DUMHAM CO LIMITED Form No. 585
Ontario	Form 4 — Land Registration Reform Act, 1964	Y (1) 2 1 1 (
	(1) Registry X Land Titles (3) Property Block	Property	pages
	identifier(s)	, , , ,	Additional: See Schedule
	(4) Nature of Document Court Ord Support and Custody Orders	er (Support Orde Enforcement Act	
		week commencing	
	for a 5 year period	Dollars \$	
	(6) Description		
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Anna Barana Adamsidiana			
	dditional:		
Executions	· · · · · · · · · · · · · · · · · · ·		<u>_</u>
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S) This Document provides as follows:	hedule - Taninanicii -) Description F	
		Cox	ntinued on Schedule
This Document relates to instrument num	ber(s)		
Party(ics) (Set out Status or Interest) Name(s)	Signature(s)		Date of Signature
Director of Support and Cus	tody "J. Green"		Y M D
Enforcement for the benefit		cer	
Jane Peters.			
) Address for Service London Regional	Office, 171 Queens Avenue, London,	Ontario N6A 5J	7
Party(les) (Set out Status or Interest) Name(s)	Signature(s)		Date of Signature
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3) Address for Service			·
4) Municipal Address of Property	(15) Document Prepared by:	, Fee	s and Tax
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London, Ontario N7B 1M8	London Regional Office	35	
= 	171 Queens Avenue London, Ontario		
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	G	Property Identifier(s)	Block	Property		Se	ditional e hedule
	là	Nature of Docu Court Order orders Enfor	(Support Order, cement Act, 198	s. 10	Support and	Custo	dy
	10	5) Consideration	\$100.00 per wee			ril, 1	987
		or a 5 year 6) Description	period		Dollars \$		
	I C	Parcel 12-1, Concession	, Section 3 Wair 3 Township of Wa	nfleet, ainflee	, bein g Lot l et	.2,	
New Property Identifiers	Additional						
!{	See Schedule						
i i a	Additional See Schedule	7) This Document Contains:	(a) Redescription New Easement Plan/Sketch	_ ` `	hedule for: Addi cription Parti	tional	Other [X
(8) This Document provides as follows:							
In accordance with Section this support Order contain the land described. I, John Green, hereby appl London, dated 14 July, 198 interest in the land described.	s support y to have :	provisions registered a certifie	and is enforcea: the attached Co d copy is attac	urt Or hed he	der, Provinc	ial Co ect of	CHE
(This application must be and effect and has not bee and may be based on the de affidavit must also state	en sta yed. eponents kn	This depos owledge and	ition may be ma belief. See S	chedul	e page for e	xample	TTCCT
application.)					Contin	núed on Se	chedule [
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Enforcement for the benef:	it of		orcement Office				
Jane Peters.						, ,	
(11) Address for Service London Regional	1 Office, 1	71 Queens I	enue, London,	Ontari	io NGA 5J7	· · · · · ·	
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(14) Municipal Address of Property	(15) D	ocument Prepared	l by:		Fees	end Tax	
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Schedule

Form 5 —	Land	Registration	Reform	Act,	1984

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Additional Property Identifier(s) and/or Other Information

AFFIDAVIT

- I, John Green, make oath and say as follows:
- That to the best of my knowledge and belief, the attached court order is in full force and effect and has not been stayed.
- That the attached court order affects the land referred to in the application.

"John Green" John Green

Sworn before me at the City of London, this 3rd day of April, 1987.

"I. Jones"

A Commissioner, etc.

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Document General

- Charle	Form 4 — Land Registration Reform Act, 1984		_
	(1) Registry 🔀 Land Titles 🔲	(2) Page 1 of pages)
	(3) Property Block I Identifier(s)	Property Additional See Schedule	
	(4) Nature of Document Separation Agreement (Suppo Custody Orders Enforcement	ort Order s.10 Support & Act, 1985	
	(5) Consideration \$100.00 per week commencing period	g April 1, 1987 for a 5 year Dollars \$	
	(6) Description Lot 12, Concession 3, Towns Regional Municipality of N	ship of Wainfleet, iagara	
New Property Identifiers Addition See	i		
Executions Additix See Sched	Contains: Plan/Sketch	(b) Schedule for: Additional Parties Other	
(9) This Document relates to instrument number (10) Party(les) (Set out Status or Interest) Name(s)	Signature(s)	Continued on Schedule Date of Signate Y M 1097 104	ire D
SMITH, Jan	"Jan Smith"	1987 04	03
(11) Address for Service 10 Clark Street	, Toronto, Ontario, M7A 2J8		
(12) Party(les) (Set out Status or Interest) Name(s)	Signature(s)	Date of Signs	ture
SMITH, William	, , , , , , , , , , , , , , , , , , ,	· · · · · · · · · · · · · · · · · · ·	
(13) Address for Service			
(14) Municipal Address of Property	(15) Document Prepared by:	Fees and Tax	
20 Peter Street London, Ontario	P. Jones 100 Bay Street	Registration Fee	
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N4P 4L8	Toronto, Ontario M2J 1P4 PAGE 6 OF 9	For Participant Control of Contro	

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	(1) Registry Land Titles (2) Page 1 of	pages
	(3) Property Block Property Identifier(s)	Additional: See Schedule
New Property Identifiers	(4) Nature of Document Notice of Separation Agreement (Support Or Support & Custody Orders Enforcement Act, (5) Consideration \$100.00 per week, commencing 1 April, 1987 5 year period Oddars \$	1985)
FOR OFFICE US	Parcel 12-1, Section 3 Wainfleet, being Lo Concession 3 Township of Wainfleet	t 12,
See Schedul		
Executions Addition See Schedul	Contains: Plan/Sketch Description 5	idditional Other
land described in Box 6 pursua	provisions and is enforceable as a charge again nt to s.10 of the Support & Custody Orders Enfor	st the cement
registered in the name of Will hereby apply under section 74	ered estate, right, interest or equity in the la iam Smith in respect of the above described land of the Land Titles Act for the entry of a Notice egister for the above mentioned parcel.	land [
(9) This Document relates to instrument number(s		
(10) Party(les) (Set out Status or Interest) Name(s)	Signature(s)	Date of Signature
SMITH, Jan	"Jan Smith"	1987 04 03
(11) Address for Service 10 Clark Street,	Toronto, Ontario, M7A 2J8	iii
(12) Party(ies) (Set out Status or Interest) Name(s)	Signature(s)	Date of Signature
SMITH William	Signature(s)	Ý M D
(13) Address for Service		
(14) Municipal Address of Property	(15) Document Prepared by:	s and Tax
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Land Titles 🗀 (1) Registry [X] (2) Page 1 of Block Property Separation Agreement (Support Order s. 10 Support & Custody Orders Enforcement Act, 1985) (5) Consideration \$100.00 per week commencing April 1, 1987 for a 5 year period Dollars \$ Lot 12, Concession 3, Township of Wainfleet, Regional Municipality of Niagara New Property Identifiers (a) Redescription (b) Schedule for: Description Parties New Essemen Plan/Sketch ☐ Other 💢 See attached. This document contains support provisions and is enforceable as a charge against the land described in Box 6 pursuant to s.10 of the Support & Custody Orders Enforcement Act, 1985. Continued on Schedule (9) This Document relates to instrument number(s) (10) Party(ies) (Set out Status or Interest) Date of Signature Name(s) Signature(s) 1987 04 03 Director of Support & "John Green" Custody Enforcement for the John Green benefit of Jan Smith Enforcement Officer 171 Queens Avenue, London, Ontario, N6A 5J7 (12) Party(les) (Set out Status or Interest) Date of Signature Signature(s) Name(s) (14) Municipal Address of Property (15) Document Prepared by: Fees and Tax ₹ 20 Peter Street Director of Support & Registration Fee London, Ontario Custody Enforcement OFFICE USE N4P 4L8 London Regional Office 171 Queens Avenue London, Ontario, N6A 5J7 FOR PAGE 9 OF 9 Total