



Ontario

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 and Custody Enforcement. Unless the person who 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Director a notice stating the person does not wish to have the order enforced by the Director or unless the order is withdrawn, the order will be enforced by the Director as will be marriage contracts, separation agreements and cohabitation agreements filed under Section 35 of the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 Director. Support orders made before that date which 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 Support orders not filed in the Director's office, or filed and withdrawn, may be enforced by the person entitled to support thereunder.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 enforceable 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
- c) by the person entitled to support with the consent 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	(1) Registry <input checked="" type="checkbox"/> Land Titles <input type="checkbox"/>		(2) Page 1 of _____ pages		
	(3) Property Identifier(s)		Block _____	Property _____	
			Additional See Schedule <input type="checkbox"/>		
	(4) Nature of Document Court Order (Support Order s. 10, Support and Custody Orders Enforcement Act, 1985)				
	(5) Consideration \$100.00 per week commencing April 1, 1987 for a 5 year period Dollars \$ _____				
	(6) Description Lot 12, Concession 3, Township of Wainfleet, Regional Municipality of Niagara				
New Property Identifiers		Additional See Schedule <input type="checkbox"/>			
Executions		Additional See Schedule <input type="checkbox"/>			
		(7) This Document Contains:	(a) Redescription New Easement Plan/Sketch <input type="checkbox"/>	(b) Schedule for: Description <input type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>	
(8) This Document provides as follows: See Attached Court Order, Provincial Court, London Dated 14 July, 1986 In Accordance with Section 10 of the Support and Custody Orders Enforcement Act, 1985, this Support Order contains support provisions and is enforceable as a Charge against the interest in the land described.					
Continued on Schedule <input type="checkbox"/>					
(9) This Document relates to instrument number(s)					
(10) Party(ies) (Set out Status or Interest)					
Name(s)		Signature(s)		Date of Signature Y M D	
Director of Support and Custody		"J. Green"		1987 04 03	
Enforcement for the benefit of		Enforcement Officer			
Jane Peters.					
(11) Address for Service London Regional Office, 171 Queens Avenue, London, Ontario N6A 5J7					
(12) Party(ies) (Set out Status or Interest)					
Name(s)		Signature(s)		Date of Signature Y M D	
(13) Address for Service					
(14) Municipal Address of Property		(15) Document Prepared by:		Fees and Tax	
57 Vincent Crescent London, Ontario N7B 1M8		Director of Support and Custody Enforcement London Regional Office 171 Queens Avenue London, Ontario N6A 5J7		Registration Fee	
		PAGE 3 OF 9			
				Total	



Document General

87008

DVE & DURHAM CO. LIMITED
Form No. 985

D

Form 4 — Land Registration Reform Act, 1984

FOR OFFICE USE ONLY	(1) Registry <input type="checkbox"/> Land Titles <input checked="" type="checkbox"/>	(2) Page 1 of _____ pages
	(3) Property Identifier(s) _____ Block _____ Property _____	Additional See Schedule <input type="checkbox"/>
	(4) Nature of Document Court Order (Support Order, s. 10 Support and Custody Orders Enforcement Act, 1985)	
	(5) Consideration \$100.00 per week, commencing 1 April, 1987 for a 5 year period Dollars \$ _____	
	(6) Description Parcel 12-1, Section 3 Wainfleet, being Lot 12, Concession 3 Township of Wainfleet	
	New Property Identifiers _____ Additional See Schedule <input type="checkbox"/>	Executions _____ Additional See Schedule <input type="checkbox"/>
(7) This Document Contains:		(b) Schedule for:
(a) Redescription <input type="checkbox"/> New Easement <input type="checkbox"/> Plan/Sketch <input type="checkbox"/>	Description <input type="checkbox"/>	Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>

(8) This Document provides as follows:

In accordance with Section 10 of the Support and Custody Orders Enforcement Act, 1985, this support Order contains support provisions and is enforceable as a Charge against the land described.

I, John Green, hereby apply to have registered the attached Court Order, Provincial Court, London, dated 14 July, 1986 of which a certified copy is attached hereto in respect of the interest in the land described above of which James Peters is one of the registered owners.

(This application must be supported by an affidavit deposing that the Order is in full force and effect and has not been stayed. This deposition may be made by the enforcement officer and may be based on the deponents knowledge and belief. See Schedule page for example. The affidavit must also state that the court order affects the land referred to in the application.)

Continued on Schedule

(9) This Document relates to instrument number(s) _____

(10) Party(ies) (Set out Status or Interest)		Signature(s)		Date of Signature		
Name(s)				Y	M	D
Director of Support and Custody		"J. Green"		1987	04	03
Enforcement for the benefit of		Enforcement Officer				
Jane Peters.						

(11) Address for Service: London Regional Office, 171 Queens Avenue, London, Ontario N6A 5J7

(12) Party(ies) (Set out Status or Interest)		Signature(s)		Date of Signature		
Name(s)				Y	M	D

(13) Address for Service _____

(14) Municipal Address of Property 57 Vincent Crescent London, Ontario N7B 1M8	(15) Document Prepared by: Director of Support and Custody Enforcement London Regional Office 171 Queens Avenue London, Ontario N6A 5J7 PAGE 4 OF 9	Fees and Tax	
		Registration Fee	
		Total	

Additional Property Identifier(s) and/or Other Information

AFFIDAVIT

I, John Green, make oath and say as follows:

1. That to the best of my knowledge and belief, the attached court order is in full force and effect and has not been stayed.
2. 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.



Document General

Form 4 — Land Registration Reform Act, 1984

87008

DTL & DURHAM CO. LIMITED
Form No. 985

D

FOR OFFICE USE ONLY	(1) Registry <input checked="" type="checkbox"/> Land Titles <input type="checkbox"/>	(2) Page 1 of _____ pages
	(3) Property Identifier(s)	Block _____ Property _____
	(4) Nature of Document 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 \$ _____	
(6) Description Lot 12, Concession 3, Township of Wainfleet, Regional Municipality of Niagara		
New Property Identifiers	Additional: See Schedule <input type="checkbox"/>	
Executions	Additional: See Schedule <input type="checkbox"/>	(7) This Document Contains:
		(a) Redescription New Easement Plan/Sketch <input type="checkbox"/>
		(b) Schedule for:
		Description <input type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>

(8) This Document provides as follows:
See attached.
This document contains support provisions and is enforceable as a charge against the lands 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) Name(s)	Signature(s)	Date of Signature Y M D
SMITH, Jan	"Jan Smith"	1987 04 03

(11) Address for Service 10 Clark Street, Toronto, Ontario, M7A 2J8

(12) Party(ies) (Set out Status or Interest) Name(s)	Signature(s)	Date of Signature Y M D
SMITH, William		

(13) Address for Service

(14) Municipal Address of Property 20 Peter Street London, Ontario N4P 4L8	(15) Document Prepared by: P. Jones 100 Bay Street Toronto, Ontario M2J 1P4	PAGE 6 OF 9
		Fees and Tax
		Registration Fee
		Total



Document General
Form 4 - Land Registration Reform Act, 1984

87008

DYE & DURHAM CO. LIMITED
Form No. 185

D

FOR OFFICE USE ONLY	(1) Registry <input type="checkbox"/> Land Titles <input checked="" type="checkbox"/>	(2) Page 1 of _____ pages
	(3) Property Identifier(s) _____ Block _____ Property _____	Additional See Schedule <input type="checkbox"/>
	(4) Nature of Document Notice of Separation Agreement (Support Order s.10 Support & Custody Orders Enforcement Act, 1985)	
	(5) Consideration \$100.00 per week, commencing 1 April, 1987 for a 5 year period Dollars \$	
	(6) Description Parcel 12-1, Section 3 Wainfleet, being Lot 12, Concession 3 Township of Wainfleet	
New Property Identifiers _____	Additional: See Schedule <input type="checkbox"/>	
Executions _____	Additional: See Schedule <input type="checkbox"/>	(7) This Document Contains: (a) Redescription New Easement Plan/Sketch <input type="checkbox"/> (b) Schedule for: Description <input type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>

(8) This Document provides as follows:

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.

I, Jan Smith, have an unregistered estate, right, interest or equity in the land registered in the name of William Smith in respect of the above described land and hereby apply under section 74 of the Land Titles Act for the entry of a Notice of Separation Agreement in the register for the above mentioned parcel.

Continued on Schedule

(9) This Document relates to instrument number(s) _____

(10) Party(ies) (Set out Status or Interest)		
Name(s)	Signature(s)	Date of Signature Y M D
SMITH, Jan	"Jan Smith"	1987 04 03

(11) Address for Service: 10 Clark Street, Toronto, Ontario, M7A 2J8

(12) Party(ies) (Set out Status or Interest)		
Name(s)	Signature(s)	Date of Signature Y M D
SMITH, William		

(13) Address for Service _____

(14) Municipal Address of Property 20 Peter Street London, Ontario N4P 4L8	(15) Document Prepared by: P. Jones 100 Bay Street Toronto, Ontario M2J 1P4	PAGE 7 OF 9	FOR OFFICE USE ONLY	Fees and Tax
				Registration Fee
				Total



Document General
Form 4 - Land Registration Reform Act, 1984

87008

DYE & DURHAM CO. LIMITED
Form No. 888

D

FOR OFFICE USE ONLY	(1) Registry <input type="checkbox"/> Land Titles <input checked="" type="checkbox"/>	(2) Page 1 of _____ pages
	(3) Property Identifier(s) _____ Block _____ Property _____	Additional See Schedule <input type="checkbox"/>
	(4) Nature of Document Notice of Separation Agreement (Support Order s.10 Support & Custody Orders Enforcement Act, 1985)	
	(5) Consideration \$100.00 per week, commencing 1 April, 1987 for a 5 year period Dollars \$	
(6) Description Parcel 12-1, Section 3 Wainfleet, being Lot 12, Concession 3 Township of Wainfleet.		
New Property Identifiers	Additional See Schedule <input type="checkbox"/>	
Executions	Additional See Schedule <input type="checkbox"/>	
	(7) This Document Contains:	(a) Redescription New Easement Plan/Sketch <input type="checkbox"/> (b) Schedule for:
		Description <input type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>

(8) This Document provides as follows:
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. I, John Green, Enforcement Officer for the Director of Support & Custody Enforcement, for the benefit of Jan Smith have an unregistered estate, right, interest or equity in respect of land registered in the name of William Smith in respect of the above described land and hereby apply under s.74 of the Land Titles Act for the entry of a Notice of Separation Agreement in the register for the above mentioned parcel.

Continued on Schedule

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)	Signature(s)	Date of Signature
Name(s)		Y M D
Director of Support & Custody Enforcement for the benefit of Jan Smith	"John Green" John Green Enforcement Officer	1987 04 03

(11) Address for Service 171 Queens Avenue, London, Ontario, N6A 5J7

(12) Party(ies) (Set out Status or Interest)	Signature(s)	Date of Signature
Name(s)		Y M D

(13) Address for Service

(14) Municipal Address of Property 20 Peter Street London, Ontario N4P 4L8	(15) Document Prepared by: Director of Support & Custody Enforcement London Regional Office 171 Queens Avenue London, Ontario N6A 5J7	Fees and Tax
		Registration Fee
		Total

PAGE 8 OF 9

FOR OFFICE USE ONLY	(1) Registry <input checked="" type="checkbox"/> Land Titles <input type="checkbox"/>	(2) Page 1 of _____ pages
	(3) Property Identifier(s)	Block _____ Property _____
	(4) Nature of Document 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 \$	
	(6) Description Lot 12, Concession 3, Township of Wainfleet, Regional Municipality of Niagara	
New Property Identifiers	Additional: See Schedule <input type="checkbox"/>	
Esecutions	Additional: See Schedule <input type="checkbox"/>	
(7) This Document Contains:		(a) Redescription New Easement Plan/Sketch <input type="checkbox"/>
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		Description <input type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>

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Continued on Schedule

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)	Signature(s)	Date of Signature
Name(s)		Y M D
Director of Support & Custody Enforcement for the benefit of Jan Smith	"John Green" John Green Enforcement Officer	1987 04 03

(11) Address for Service 171 Queens Avenue, London, Ontario, N6A 5J7

(12) Party(ies) (Set out Status or Interest)	Signature(s)	Date of Signature
Name(s)		Y M D

(13) Address for Service

(14) Municipal Address of Property 20 Peter Street London, Ontario N4P 4L8	(15) Document Prepared by: Director of Support & Custody Enforcement London Regional Office 171 Queens Avenue London, Ontario, N6A 5J7	Fees and Tax
		Registration Fee
		Total