



Ontario

Ministry of
Consumer and
Commercial
Relations

Registration
Division

Real
Property
Registration
Branch

BULLETIN NO. 90003

DATE: December 14, 1990

TO:
All Land Registrars

Cautions Designation
of Matrimonial Home

Land Titles Act
Family Law Act, 1986

A spouse's right to possession of a matrimonial home under section 19 of the Family Law Act, 1986, is not an interest in land and can therefore not be protected by registration of a caution. Land registrars should not accept for registration a caution that is based on this right.

However, it should be noted that pursuant to section 20 of the Family Law Act, 1986, one spouse may unilaterally register a designation of a property owned by the other spouse or both of them as a matrimonial home. This single designation is discussed at paragraph 2 of Bulletin 86001. The last sentence of this paragraph states that the single designation will continue to be shown on the parcel register until it is removed by the spouse who registered it. This sentence is revoked and the following substituted therefore:

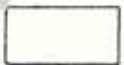
"The single designation, however, will continue to be shown on the parcel register until the registration of,

- (a) a cancellation, executed by the person who made the original designation, in the form prescribed by the regulations made under the Family Law Act, 1986; or
- (b) an application to amend the parcel register to delete the designation with the following evidence in support:
 - a decree absolute of divorce or judgment of nullity; or
 - a court order under s. 23 (e) of the Family Law Act, 1986, cancelling the designation or
 - proof of death of one of the spouses.

Form 1, Designation of Matrimonial Home and Form 2, Cancellation of Designation of Matrimonial Home, of Ontario Regulation 95/86 made under the Family Law Act, 1986, are attached for your information.

Director of Land Registration
Carol D. Kirsh

Director of Titles
Katherine M. Murray



Form 1

Family Law Act, 1986

DESIGNATION OF MATRIMONIAL HOME

Document General

Form 1 - Land Registration Reform Act, 1984

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FOR OFFICE USE ONLY	(1) Registry <input type="checkbox"/> Land Title <input type="checkbox"/> (2) Page 1 of _____ pages		
	(3) Property Identification: <u>Box</u> <u>Property</u> Assessed for Schedule <input type="checkbox"/>		
	(4) Nature of Document Designation of matrimonial home (Family Law Act, s. 20)		
	(5) Consideration Not applicable _____ Consider <input type="checkbox"/>		
(6) Description			
(7) The Document Contains <input type="checkbox"/> (8) Recession New Estimate Plan/Section <input type="checkbox"/> (9) Schedule for Description <input type="checkbox"/> Assessed for Part 1 <input type="checkbox"/> Other <input type="checkbox"/>			
(10) This Document premises as follows: (Check appropriate box and strike out inapplicable paragraph)			
<input type="checkbox"/> The parties signing in box 10, who are spouses of each other, designate the property described in box 6 as a matrimonial home.			
<input type="checkbox"/> The party signing in box 10, who is the spouse of _____ (name) _____ designates the property described in box 6 as a matrimonial home.			
(11) This Document relates to instrument number(s) Not applicable _____ Continued on Schedule <input type="checkbox"/>			
(12) Parties (Set out Status or Interest Name(s) Signature(s) Date of Signature Y M D)			
(13) Address for Service			
(14) Parties (Set out Status or Interest Name(s) Signature(s) Date of Signature Y M D)			
(15) Address for Service			
(16) Municipal Address of Property	(17) Document Prepared by:	Fees and Tax	
		Registration Fee	
		Total	



Form 2
 Family Law Act, 1985
 CANCELLATION OF DESIGNATION OF MATRIMONIAL HOME
 Document General
 Form 2 - Land Registration Reform Act, 1984

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<p style="writing-mode: vertical-rl; transform: rotate(180deg); font-size: small;">FOR OFFICE USE ONLY</p> <p style="font-size: small;">New Property Identifiers</p> <p style="font-size: small;">Elections</p> <p style="font-size: small;">Assessed for Stamp Duty <input type="checkbox"/></p> <p style="font-size: small;">Assessed for Stamp Duty <input type="checkbox"/></p>	<p>(1) Registry <input type="checkbox"/> Land Titles <input type="checkbox"/> (2) Page 1 of _____ pages</p>	<p>(3) Property Identifier(s) _____ Book _____ Property _____ Assessor's No. _____</p>						
	<p>(4) Nature of Document Cancellation of designation of matrimonial home (Family Law Act, s. 20)</p>							
	<p>(5) Consideration Not applicable _____ Consider _____</p>							
	<p>(6) Description</p>							
<p>(7) This Document Contains: (8) Reclassification from Existing Part/Block <input type="checkbox"/> (9) Schedule for: Description <input type="checkbox"/> Appraisal Parties <input type="checkbox"/> Other <input type="checkbox"/></p>								
<p>(10) The Document provides as follows: (Check appropriate box and strike out inapplicable paragraphs)</p> <p><input type="checkbox"/> The parties signing in box 10, who are spouses of each other, cancel the designation by them of the property described in box 6 as a matrimonial home in the instrument referred to in box 9.</p> <p><input type="checkbox"/> The party signing in box 10, who is the spouse of _____ (name) _____, cancels the designation by him/her of the property described in box 6 as a matrimonial home in the instrument referred to in box 9.</p> <p style="text-align: right;">Continued on Schedule <input type="checkbox"/></p>								
<p>(11) This Document refers to Instrument Number(s):</p>								
<p>(10) Party(ies) (See out Status or Interest) Name(s) _____</p>	<p>Signature(s) _____</p>	<p>Date of Signature Y M D</p>						
<p>(11) Address for Service _____</p>								
<p>(12) Party(ies) (See out Status or Interest) Name(s) _____</p>	<p>Signature(s) _____</p>	<p>Date of Signature Y M D</p>						
<p>(13) Address for Service Not applicable _____</p>								
<p>(14) Municipal Address of Property _____</p>	<p>(15) Document Prepared by: _____</p>	<p style="font-size: x-small;">FOR OFFICE USE ONLY</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">Fees and Tax</th> </tr> <tr> <td style="width:50%; font-size: x-small;">Registration Fee</td> <td style="width:50%;"></td> </tr> <tr> <td style="font-size: x-small;">Total</td> <td></td> </tr> </table>	Fees and Tax		Registration Fee		Total	
Fees and Tax								
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