



Ontario

Ministry of
Consumer and
Commercial

Relations

Registration
Division

Real
Property
Registration
Branch

BULLETIN NO. 96002

DATE: November 26, 1996

TO: All Land Registrars

Registry Act and Land Titles Act

Deletion of Construction Liens
and Certificates of Action

A Construction Lien is preserved by the registration of a Claim for Lien and is perfected by the registration of a Certificate of Action or by sheltering under a Certificate of Action registered by another Lien Claimant.

Section 41 of the *Construction Lien Act* provides that a preserved or perfected lien may be discharged by registration of a release in the prescribed form. Accordingly, if a release is registered on behalf of each and every party who has registered a Claim for Lien and each and every party who is named as a plaintiff in a registered Certificate of Action (if there is one), the lien and the Certificate of Action may be discharged from title.

The form prescribed under the *Construction Lien Act* provides for a release of Claim for Lien. Where a party also wishes to release a registered Certificate of Action, the prescribed form may be amended by adding the words "and the Certificate of Action registered as Instrument No. _____"

The liens and certificates can be ruled immediately in Land Titles and under the Registry system may be ruled at the expiry of two years in accordance with the Act. If there are other registered liens that may be sheltering under the Certificate of Action, the Certificate of Action may not be deleted until the sheltering liens are discharged.

Ian Veitch
Director of Land Registration

Katherine M. Murray
Director of Titles