



Ontario

Ministry of
Consumer and
Commercial
Relations

Property
Rights
Division

BULLETIN NO. 78032

DATE: MAY 24, 1978.

TO:
ALL LAND REGISTRARS

THE LAND TITLES ACT, R.S.O. 1970,
C.234

UPDATING CERTIFICATES AS TO
EXECUTION

There has been some question lately whether Land Registrars in the land titles system should be updating certificates as to execution or issuing certificates that relate to specific land.

It is our position that Land Registrars should not be involved in either of these practices.

Should a mistake be made resulting in a writ of execution being left off the original certificate, it would be compounding the error merely to update the certificate and ignore the mistake.

When a certificate as to writs of execution is prepared for issuance by a land registry office, it must list all the writs of execution against persons with similar or identical names to the name in the requisition. Affidavit evidence that the registered owner is not the same person as a judgment debtor with a similar or identical name does not justify the issuance of a clear certificate in respect of a particular parcel.

Such evidence is only to be used to satisfy the Land Registrar at the time of registration of an instrument, that the registered owner is not the same person as the judgment debtor and that an entry of the writ of execution should not be made in the parcel register.

RICHARD E. PRIDDLE
DIRECTOR OF LAND REGISTRATION

DA:ls.