

Ministry of
Consumer and
Commercial RelationsMinistère de
la Consommation
et du Commerce***Title and Survey Services Office***

4 December, 2000

MEMO TO: Land Registrars
Regional Surveyors
Business Improvement Team

EM20005

FROM: Kate Murray
Director of Titles

SUBJECT: Writs of Execution numbers where no information is available

As discussed in the automation teleconference call on October 17, 2000, issues have arisen when a client tries to obtain information regarding a writ from the Ministry of Attorney Generals' (MAG) execution database. This situation usually occurs on LTCQ properties where a notation has been made in the thumbnail that the property is subject to a writ which is identified by number only.

Often, when a search by writ number is done, the client will receive the following message: "WRIT DOES NOT EXIST ON FILE" or if a client is searching in Teraview, "WRIT NOT FOUND". The client has to go to great lengths to find any information on the writ and in most cases their search produces no information. In the past on LTCQ properties, some offices have required the client to search executions on the owners in the last 3 transfers to ensure that the execution was not renewed.

Currently in an Application to Amend the Register to delete executions, the applicant is required to provide evidence stating that the writ has expired and has not been renewed, or that the parties are not one and the same person as the party named in the writ. When the client cannot find any information regarding the writ, they are unable to make the above statements. To resolve this issue, the Land Registry Offices may now accept an affidavit or signed statement by a solicitor or registrant stating that they have conducted a search of the MAG database and received one of the above messages.

If you have not already done so, please implement this process in your office immediately. If you have any questions or concerns, please forward them to Margaret Wiseman, Louise Richard-Beaulne, Nicole Mitchell or myself.

cc: Ian Veitch
Regional Managers
Title and Survey Services Office staff
Nick Perreira (Ministry of the Attorney General)