
Land Title Filings for Self Managed Strata Corporations

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Since the enactment of B.C.'s *Condominium Act* over 30 years ago (now the *Strata Property Act*), strata corporations have found it necessary to file a variety of documents at the Land Title Office. Such documents include: Form I Amendment to Bylaws, Form G Certificate of Lien (default in payment), Form H Acknowledgement of Payment, as well as the required documentation for dealing with amendments to Common Property and Limited Common Property.

Prior to 2004, Land Title Offices in B.C. only allowed the filing of paper documents at the office having the specific jurisdiction for that area. All applications were filed either by attending in person, by mail, or through the use of a land title agent. Documents were received by cashier, stamped with a unique filing number, fees were paid, and a copy was returned to the applicant.

In 2004 B.C.'s Land Title and Survey Authority ("LTSA") implemented an Electronic Filing System ("EFS"). EFS was optional at the time it was introduced, and initially was introduced to include standard conveyancing documents such as Transfers and Mortgages. Acceptance of EFS by all user groups was by no means immediate, and in 2010 the *Land Title Act* was amended to empower the Director of Land Titles to require that documents be filed electronically rather than in hardcopy format. On July 1, 2011 a multi-phase program began, which by 2014 has completely changed the way different user groups, including strata corporations, file documents with the LTSA.

One of the most substantive changes to filing requirements, is the necessity for all documents to be in a specific Adobe Acrobat format (form templates as provided by LTSA), and affixed with a digital signature.

Although digital signatures are included in the Adobe Acrobat application, the LTSA will only allow the use of a digital signature issued by Juricert Services Inc., which is administered by the Law Society of B.C., and issued only to lawyers, and members of the Society of Notaries Public of B.C.

Filing of documents and applications under the *Strata Property Act* was included in phase two of mandatory electronic filing, as of May 7, 2012. The effect of this was that strata corporations with more than seven strata lots could no longer file their own documents at the Land Title Office on paper. Although strata corporations with seven or fewer strata lots continue to be able to file paper documents, strata corporations with more than seven lots must now employ professional assistance. Registry agent companies can assist with the digital signature requirement and subsequent electronic filing through a simple and cost effective service, which includes the use of independent notary or lawyer electronic signature services.

With electronic filing, forms prescribed by the *Strata Property Act* remain largely unchanged. Self-managed strata corporations continue to complete the lien and bylaw forms, and sign them as required under the Act. The original form is then provided to a professional for their inspection and affixation of digital signature, which has been duly issued by Juricert Services Inc.

Once digitally signed, the application is uploaded through the LTSA's EFS website. Payment of fees is made automatically at that time, and a unique ("CA") prefixed number is given to the document, which is noted on the title as a pending application. Next, a numbered copy of the document may be downloaded

and printed. The LTSA then examines the application and if acceptable, fully registers against title.

Strata corporations who utilize a management company see little or no change. However, self-managed strata corporations with more than seven strata lots now bear the added expense and time requirement to seek third-party assistance for their document filing. Fortunately, there are many lawyers and Notary Publics throughout B.C. who are well-versed in the process. As well, larger registry agent companies are able to facilitate this process efficiently and cost-effectively.

For more information about Dye & Durham and the services they offer please visit their website at www.dyedurhambc.com or contact Doug Leathem at 778-312-0209 (1-800-661-1811) or landsearch@dyedurhambc.com.