

Strata Living

Headline: Land Title Changes
Topic: Land Titles Office
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Dear Tony: Our strata went to file our new bylaws in the Land Title Registry in June and were surprised to find that strata corporations over 7 units are no longer permitted to file certificates in the Land Titles directly. We now have to go through either a notary or lawyer who is an authorized filing agent. They verify that the documents being filed are accurate for the correct Land Title file, and they perform the filing. This is a significant increase in the cost of services with no specific value as far as we can see. Are there any other options to filing?

JKW, Mission

Dear JK: The change in filing procedures was part of the ongoing move by the Land Title Registry to move everything to an electronic format. With the formation of BC Online as a document retrieval system, anyone can retrieve documents on line at a greatly reduced cost, provided they set up a BC on line account. This first part of the service was a substantial windfall to offices for realtors, lawyers, managers, and consultants and associations in the real estate industry. It allows the users to quickly access filed documents such as strata plans, registered bylaws, common index filings, liens, easements or any other instruments filed in the Land Title Registry. The access is usually less than a minute, with the ease to print the records in your office, and to print

them on large format medium making them much easier to read. The second stage of the electronic filing and access commenced this spring on May 7, 2012. Filing of certificates for a variety of services and transactions through the Land Title Registry, now requires an authorized agent to file the documents. There is no additional charge from the land Title Registry which was only a filing registry anyhow and did not scrutinize the documents or the properties to which they were being filed. When you use a filing registry, they will scrutinize the certificate that is being filed is for the correct account and property.

CHOA commissioned a research project in 2009, where we reviewed 2,000 strata corporation Land Title Filings. 7.8% of the strata corporations, according to the filing documents, had never filed any bylaw amendments or were found to have incorrect filings. To follow up, we contacted the 156 strata corporations (7.8%), and 53 had records of filing bylaw amendments, but filed on the wrong strata plans. An incorrect bylaw filing could potentially complicate the enforcement or validity of your bylaws, but if a strata corporation incorrectly filed a lien against a strata lot for example, the effects could be much more serious if the lien in error resulted in a loss or additional cost for an owner.

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