

How to Avoid Being Rejected

Review of the Top Rejection Reasons at Land Titles

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INTRODUCTION

Alberta's real estate lawyers work directly with the Land Titles offices in Edmonton and Calgary to ensure that their land related documents are registered in the ALTA (Alberta Land Titles Automation) system on the correct Certificate of Title. In Alberta, Land Titles has a 20% rejection rate. Alberta is one of the highest rejection rates of the provinces in Canada. The purpose of this paper is to review some of the primary reasons that Land Titles rejects standard documents so that lawyers can avoid these common errors and avoid rejection.

This paper was prepared with the assistance of Land Titles Registrar in Edmonton, Mr. Curtis Woollard, and Senior Land Titles Analyst, Ms. Melissa Skoreyko. Thank you to both of these individuals. Their assistance is greatly appreciated and hopefully this paper will assist lawyers to make the registration process smoother and more efficient.

1) BASIC REJECTION

Many lawyers' document registration requests are rejected for very basic reasons such as the use of white out. These rejections can easily be avoided. The following is a review of some of the basic rejection reasons.

a. Poor Quality documents – unsuitable for scanning

Ensure that you use a pen with dark ink that will allow the signature to photocopy. All documents are transferred on to microfilm and stored. If you utilize a "sparkly ink pen", a "yellow pen" or a "gel pen", occasionally the ink does not photocopy well and is not visible on microfilm. This will result in your document being rejected. For best results, utilize a blue ink BIC pen. Blue ink, although not necessary, allows the examiners to easily identify that the document is an original document. If you are not sure if your pen is satisfactory, photocopy the original document to see if the signature shows clear and crisp on the photocopy.

b. White Out:

The use of white out is never acceptable on documents forwarded to Land Titles. Remember documents are stored for years. White out will break down and fall off documents over time. Land Titles needs to ensure they have a true document.

If there is a mistake, simply cross out the error and write above the correct information. All corrections must be signed for by the solicitor. [Initial the change, then type the following and sign underneath: “Amended and corrected by _____ solicitor for the purchaser and agent for the seller”. Consent should be obtained by other counsel prior to changes being made.] Corrections to affidavits must be initialed by the commissioner.

c. Poor Quality documents – Illegible:

Legible and neat documents are appreciated.

2) DOCUMENT REGISTRATION REQUEST (DRR) FORM REJECTION

A printed copy of the Document Registration Request (DRR) Form must accompany all original documents forwarded to Land Titles. This DRR provides the instructions and information to the Land Titles Office as to whom you are, what you wish them to do (register transfer, then register the mortgage to FCC, then register the mortgage to ATB, and then provide a Certified Copy of Title), and how you wish the documents to be returned (mail, courier, etc...). These documents often include errors that result in your filing request being rejected.

The DRR is completed online in your SPIN2 Profile. It is important to know that completing a DRR online does not assign registration priority. Registration priority will only be assigned when the bar code is scanned at Land Titles. When the registration priority is assigned, the DRR will also become searchable in the Pending Registration Request Listing (“PRRL”) service in SPIN2.

Note that the PRRL queue is only as reliable as the person entering the information. The queue was put in place so that stakeholders could see what has been submitted to the Land Titles Office. Land Titles assumes no liability for the accuracy of the queue and does not verify the legal descriptions that are entered.