

## Schedule “A”

### **Regulations Respecting Administration of the *Land Registration Act* made by the Minister of Service Nova Scotia and Municipal Relations under Section 94 of Chapter 6 of the Acts of 2001, the *Land Registration Act***

#### **Citation**

- 1 These regulations may be cited as the *Land Registration Administration Regulations*.

#### **Definitions**

- 2 (1) In these regulations,

“Act” means the *Land Registration Act*;

“AFR” means an application for registration in accordance with Section 37 of the Act;

“authorized lawyer” means a qualified lawyer who is subject to the Property Online user agreement and pre-authorized debit agreements required under Section 3;

“authorized lender” means a chartered bank, trust company, credit union or Provincial government lender, that is subject to the Property Online user agreement and pre-authorized debit agreements required under Section 3;

“authorized surveyor” means a practising land surveyor licensed under the *Land Surveyor’s Act* who is subject to the Property Online user agreement and pre-authorized debit agreement required under Section 3;

“benefit” means an appurtenance to a registrable or registered interest in a parcel;

“burden” means a restriction or limitation on the use and enjoyment of a parcel that attaches to a registrable or registered interest in a parcel;

“Condo Common View” means the information which is displayed electronically in Property Online which is linked to a condominium corporation registered under the *Condominium Act*;

“Department” means Service Nova Scotia and Municipal Relations;

“dual-purpose document” means a single document that affects 2 or more parcels, 1 or more of which is registered under the Act;

“electronic document submission” means submission of a document using Property Online;

“Land Information Network- Nova Scotia” or “LINS-NS” means the Province’s electronic database in which all land-related information and documents under the Act and the *Registry Act* are maintained;

“lender” means a chartered bank, trust company, credit union or Provincial government lender;

“parcel description certification application” or “PDCA” means an application in accordance with Section 7 to have the parcel identification number of the parcel assigned and matched to a legal description;

“PID” means parcel identification number;

“Property Online” means the Province’s online real property information system that provides Internet browser-based query access to Provincial mapping and other land-related information and electronic access for submitting documents under the Act and the *Registry Act*;

“registration and recording particulars of a document” means the year the document was registered or recorded and the document number or the book and page reference for the document;

“short form legal description” means a legal description that describes a parcel by referring to a plan of survey or subdivision that has been registered with an instrument under the *Registry Act*, filed under the *Registry Act*, or registered or recorded under the Act and includes all of the following:

- (i) the unique identifier for the parcel on the plan,
- (ii) the document number or plan reference for the plan as assigned by the land registration office,
- (iii) the registration district where the parcel is located;

“textual qualification” or “TQ” means a statement in the textual

qualification section of the parcel register which provides

- (i) a qualification of the lawyer's certification of title,
- (ii) an explanatory note,
- (iii) a reference to title information or documentation, or
- (iv) a reference to an interest enabled by statute or common law;

“user number” means the unique identification number given to a Property Online user for the purpose of document submission.

(2) For the purposes of the Act,

“addresses of the parties” in subsection 67(1) of the Act means a complete address at which a person is able to receive information, including notices, by mail;

“mortgage” in subsection 37(3) of the Act and clause 46(1)(c) of the Act includes any amendment to a mortgage or agreement with the lender that increases the amount of the obligation secured, increases the amount available for borrowing under a mortgage, adds an additional parcel or permits additional advances up to the original amount secured, but does not include any of the following:

- (i) amendments other than those included under this clause,
- (ii) an assignment,
- (iii) a mortgage of a leasehold interest,
- (iv) an advance on an existing security interest that secures present and future advances up to the original principal amount secured;

“municipality” has the same meaning as in the *Municipal Government Act*;

“non-resident” means any of the following:

- (i) an individual who resides outside the Province for 183 days or more in a calendar year, and includes a person who intends to reside outside the Province for 183 days or more in the present calendar year or the next calendar year,

- (ii) a body corporate
  - (A) whose head office is not in the Province, or
  - (B) in which the majority of the issued and outstanding shares are beneficially owned by non-residents, unless the body corporate is registered to do business in the Province and owns or leases an office, plant, factory or other structure in the Province for use by its business,
- (iii) a person who acquires a parcel for or on behalf of an individual or body corporate referred to in subclause (i) or (ii);

“person’s name” in subsection 66(8) of the Act means

- (i) if a parcel is registered under the Act, the name of the registered owner of the registered interest as shown in the parcel register, or
- (ii) if a parcel is not registered under the Act, the name shown on the relevant instrument registered under the *Registry Act*;

“Provincial mapping” means the system of geographical representation of parcels created and maintained as part of the land registration system established under the Act.

### **Property Online**

- 3**
- (1) Property Online is prescribed as the system through which persons authorized in this Section may query information or submit documents that are registered or recorded under the Act.
  - (2) LIN-NS is prescribed as the system in which all documents that are registered or recorded under the Act are maintained.
  - (3) To be an authorized lawyer, a qualified lawyer must
    - (a) be a party to a current and valid Property Online authorized lawyer user agreement with the Minister; and
    - (b) be authorized under a current and valid Property Online pre-authorized debit agreement between their law firm and the Minister.
  - (4) To be an authorized lender, a lender must be a party to the following current

and valid agreements with the Minister:

- (a) an authorized lender user agreement; and
  - (b) a Property Online pre-authorized debit agreement.
- (5) If an authorized lawyer or authorized lender uses a separate debit account for payment of electronic document submission fees, they must be a party to an additional current and valid pre-authorized debit agreement for that account.
- (6) To be an authorized surveyor, a surveyor must be a party to the following current and valid agreements with the Minister:
- (a) a Property Online parcel certification user agreement; and
  - (b) a Property Online pre-authorized debit agreement.
- (7) Except as provided in subsection (8), to query information in Property Online, a person must be a party to, or be authorized under, the following current and valid agreements with the Minister:
- (a) a Property Online query user agreement; and
  - (b) a pre-authorized debit agreement.
- (8) A person may query information in Property Online at a land registration office without a query user agreement or pre-authorized debit agreement if they pay the applicable fee prescribed under the *Land Registration General Regulations* made under the Act.

**Prescribed forms**

- 4 (1) The forms listed in the following table and as attached to these regulations are prescribed to be used in the administration of the Act for the purposes stated and must include a certificate of legal effect in the manner prescribed in the form as required:

<b>Form No.</b>	<b>Purpose of Form</b>	<b>Certificate of Legal Effect Included</b>
1	to request a PID assignment	no
2	to submit a PDCA electronically or to amend the legal description in a parcel register electronically	no

Form No.	Purpose of Form	Certificate of Legal Effect Included
5	to provide a declaration by the registered owners of a parcel on their residency status and whether the parcel is occupied without permission	no
6	to submit an AFR electronically	yes
6A	to correct errors or omissions in information previously submitted with a certificate of legal effect	yes
8	to give notice to a parcel owner as required under Sections 14, 15, 16, and 18	no
8A	to register notice under the <i>Registry Act</i> as required under Section 14	no
9	to give notice to an occupier or the most recent owner as shown on the consolidated index under Section 10	no
10	to give notice of crystallization of a floating charge in a debenture that affects a parcel registered under the Act	no
15	to give notice requiring the registrar to cancel the recording of a security interest in accordance with subsection 60(2) of the Act	yes
15A	<ul style="list-style-type: none"> <li>• to give notice as required under Section 63 of the Act, requiring a registrar to cancel the recording of a recorded interest or judgment that is recorded in a parcel register, and</li> <li>• to provide proof of service of the notice to the holder of the interest or judgment</li> </ul>	yes
16	to renew the recording of a judgment in accordance with subsection 66(5) of the Act	no
19	to record a certificate of <i>lis pendens</i> against a parcel registered under the Act in accordance with Section 58 of the Act	no
20	to update the name or address of a judgment debtor in accordance with subsection 26(3)	no

<b>Form No.</b>	<b>Purpose of Form</b>	<b>Certificate of Legal Effect Included</b>
21	<ul style="list-style-type: none"> <li>• in accordance with Section 22 of the Act, to register a change of name of an owner of an interest in a parcel register,</li> <li>• to remove a deceased joint tenant as owner of a parcel registered under the Act in accordance with Section 27 of the Act, or</li> <li>• to correct the misspelling of the name of an owner of an interest in a parcel register</li> </ul>	yes- to correct misspellings
22	to change the mailing address in a parcel register for <ul style="list-style-type: none"> <li>• a registered owner or recorded interest holder, or</li> <li>• occupier of lands owned by the Nova Scotia Farm Loan Board</li> </ul>	no
24	to change a registered interest and appurtenant interests or other interests and information in a parcel register, in accordance with Sections 29 to 32 and 37A of the Act	yes
26	<ul style="list-style-type: none"> <li>• to record an interest in a parcel register, in accordance with Section 47 of the Act</li> <li>• to record a power of attorney or revocation of a power of attorney</li> </ul>	yes
26L	to enable a lender, or a lender's authorized agent, to record a mortgage or mortgage-related document, to which the lender, or a predecessor organization, is a party	no
26N	to file a Form 9 and written directives in a parcel register under Section 10	no
27	to request cancellation of a recorded interest	yes
27L	to enable a lender, or a lender's authorized agent, to record a release of a mortgage or mortgage-related document, to which the lender, or a predecessor organization, is a party	no

Form No.	Purpose of Form	Certificate of Legal Effect Included
28	to record any of the following relating to a parcel registered under the Act: <ul style="list-style-type: none"> <li>• a plan, boundary line agreement, statutory declaration for a deemed consolidation under Section 268A of the <i>Municipal Government Act</i></li> <li>• an instrument of subdivision or repeal of subdivision</li> <li>• a condominium declaration, condominium plan, initial condominium bylaws, or termination of condominium</li> </ul>	no
45	to add, confirm, delete and correct the interests, textual qualifications or parcel access type that are either not shown in the parcel register or have been placed in, or removed from, a parcel register on subdivision or registration of a condominium declaration, in accordance with subsection 13(5) of the Act and Section 9	yes
46	to record a certificate of judgment in the judgment roll	no
47	to record a certificate of satisfaction relating to a judgment in the judgment roll	no
48	to record a full or partial release of a judgment in the judgment roll	no
48A	to cancel the recording of a judgment or a judgment-related document in a parcel register with a document other than a discharge of judgment	yes
48B	to record a judgment-related document in the judgment roll and in a parcel register	no
49	to correct an error in a request to record or request to cancel a recorded interest, which was previously submitted without a certificate of legal effect	yes
50	to update a parcel register to transfer an unregistered tenant in common interest in accordance with subsection 25(3)	no

- (2) To the extent permitted by Property Online, electronic forms in Property Online that correspond to the forms prescribed in this Section are prescribed for the same purposes and in substantially the same form, but an electronic form is not required to contain all the options and datafields available on the corresponding non-electronic form.



- (3) A form that includes a certificate of legal effect may be submitted only by an authorized lawyer, and must be signed by the authorized lawyer who submits the form.
- (4) Directions and explanations included in a form prescribed in this Section are binding but may be deleted when the form is submitted for filing, registering or recording at a land registration office.
- (5) The place of execution or a jurat in a form prescribed in this Section may be altered when the form is executed.
- (6) Any reference to location or place of residence in the Province contained in a form prescribed in this Section may be altered when the form is executed.
- (7) For a parcel that is owned by more than 1 person, any of the following may sign and submit a form, other than Form 5 as provided in subsection (8), that is required to be signed by the owner or registered owner of the parcel:
  - (a) any registered owner;
  - (b) any person who is entitled to be registered as an owner of a registrable interest in the parcel.
- (8) Except as provided in subsection 10(7), Form 5 must be signed by every owner of a registered interest in the parcel that is described in the form.

#### **Document submission requirements**

- 5**
- (1) A document that is submitted for registration or recording must be submitted together with the form prescribed for that purpose in Section 4, with all required fields completed, and the fee prescribed under the *Land Registration General Regulations* made under the Act, if any.
  - (2) The submitter is responsible for the accuracy of all of the information required under subsection (1) and a registrar is entitled to rely on the information submitted in processing a document for registration or recording.
  - (3) Subject to subsections (4) and (5), a document that is submitted non-electronically for registration or recording must be an original of the document or a copy of the document that is certified to be a true copy of the original by a court of competent jurisdiction or a registrar.
  - (4) A document attachment or plan that is submitted non-electronically for registration or recording that is larger than 11 in. x 17 in. must be an original of the document and be submitted together with 1 of the following:

- (a) a duplicate original copy;
  - (b) a copy that is certified to be a true copy of the original by a person authorized under the Act to sign a certificate of execution.
- (5) A dual-purpose document that is submitted non-electronically for registration or recording must be an original of the document and be submitted together with a copy or copies, as applicable, that are certified to be true copies of the original by a person authorized under the Act to sign a certificate of execution.
- (6) Documents that are submitted for registration under the *Registry Act* must be submitted separately from documents that are submitted for registration or recording under the Act, and payment of registration fees under the *Registry Act* must be made separately from payment of fees for registration or recording under the Act.
- (7) To record a plan of subdivision as exempt from the approval requirements under the *Municipal Government Act*, a submitter must provide all of the following, either on the face of the plan or in an attached affidavit:
- (a) a clear statement of the exemption relied upon and the facts that support the exemption;
  - (b) evidence of the consent of the registered owner.
- (8) A document that relates to a parcel registered under the Act must incorporate the legal description for the parcel by stating one of the following:
- (a) the full text of the legal description as set out in the parcel register;
  - (b) the short form legal description as set out in the parcel register;
  - (c) the PID for the registered parcel, as at the date of registration or recording.
- (9) A document that is submitted non-electronically for registration or recording must
- (a) be typewritten in an ink that is not green or red and that remains visible when photocopied or scanned; and
  - (b) remain legible when photocopied or scanned.

- (10) A document may not be registered or recorded unless any required affidavit or certificate of execution has been properly sworn or signed before or by a person authorized under the Act to take the affidavit or sign the certificate and the authorized person's name has been typed, stamped or printed legibly below their signature.

### **Submitting documents electronically**

- 6 (1) To the extent permitted by Property Online, an authorized lawyer must submit a document electronically for registration or recording in a register or roll, that has been established under the Act.
- (2) Despite subsection (1), an authorized lawyer may submit a document non-electronically if the authorized lawyer meets all of the following criteria:
  - (a) they do not have access to high-speed Internet service;
  - (b) they have obtained the prior written approval of the Registrar General, who may withhold approval or impose limitations or other requirements that the Registrar General considers appropriate in the circumstances.
- (3) To the extent permitted by Property Online, and in accordance with the Property Online authorized lender user agreement, an authorized lender may submit a mortgage or a release of mortgage electronically for recording in a parcel register.
- (4) Except where the Act or the regulations state otherwise, a document submitted electronically and in accordance with the Act and the regulations has the same effect for all purposes as a document that is submitted non-electronically and in accordance with the Act and the regulations.
- (5) Subject to Property Online availability, a document may be submitted electronically at any time in accordance with the regulations, but is processed during the hours the land registration office is open to the public.
- (6) A document that is submitted electronically must be reviewed by a registrar before it is registered or recorded, and is subject to the registration and recording requirements of the Act and regulations.
- (7) Once a document that is submitted electronically is registered or recorded, the document is deemed to have been received and indexed by the registrar at the time of submission.
- (8) Electronic submission of a document is effected by submitting all of the following electronically:

- (a) the applicable form prescribed in Section 4, with all required fields completed;
  - (b) a scanned copy of the duly executed affidavit of value, if required under the *Municipal Government Act*;
  - (c) a scanned copy of the duly executed original document in portable document format, no larger than 4 megabytes (MB);
- (9) An authorized lawyer or authorized lender who submits a document electronically is responsible for the creation, quality and completeness of the electronic image of the document.
- (10) An authorized lawyer or authorized lender who submits a document electronically is required to retain either an original or true copy of the executed document and make it available for review by the Registrar General upon request and, if an authorized lawyer, for audit by the Nova Scotia Barristers' Society.

**PDCA and application to amend legal description**

- 7 (1) Subject to subsection (3), a PDCA and an application to amend a legal description must be submitted electronically in Form 2.
- (2) All of the provisions of this Section that apply to a PDCA also apply to an application to amend a legal description, to the extent that they relate to the amendment.
- (3) If the length of a legal description exceeds the space available in Form 2,
- (a) the PDCA in Form 2 must be submitted electronically and the legal description must be sent to the land registration office as a text file attached to an e-mail;
  - (b) a statement that the legal description is being submitted by e-mail must be inserted into the legal description field on the PDCA; and
  - (c) the PDCA number provided by the system once the PDCA is successfully submitted must be stated in the e-mail to which the legal description is attached.
- (4) Except as provided in subsection (5), a PDCA must be submitted by one of the following who is authorized in writing by the parcel owner, or another person permitted under subsection (6), or as required in Sections 14, 15, 16 and 18:

- (a) an authorized lawyer;
  - (b) an authorized surveyor.
- (5) If a person authorized in accordance with subsection (4) confirms the information contained in the statement of compliance on a PDCA, their staff may submit the PDCA on their behalf.
- (6) Submission of a PDCA may be authorized by a person other than the owner of a parcel if the authorizing person is one of the following:
- (a) a mortgagee of a parcel, and the owner of the parcel has refused to register title to the parcel; or
  - (b) a mortgagee who is the plaintiff in a foreclosure action respecting the parcel, or a receiver or trustee by way of assignment in bankruptcy or otherwise and has authority to act by virtue of a court order, debenture or other document, and the document evidencing the authority has been recorded under the Act or registered under the *Registry Act*.
- (7) Subject to subsection (8), before an AFR in final form is submitted, the PDCA submitter must assist the parcel owner or authorizing person under subsection (6) in identifying the parcel's PID and take reasonable steps to identify the parcel, including all of the following:
- (a) reviewing the legal description;
  - (b) reviewing Provincial mapping of the parcel;
  - (c) placing a comment in the comments field if errors in the Provincial mapping of the parcel are identified .
- (8) Subsection (7) does not apply in respect to a parcel that is a condominium unit.
- (9) If a PID has not been assigned to a parcel in Provincial mapping, the parcel owner must make a request for PID assignment in Form 1 and provide such information as will enable the preparation of a geographical representation of the parcel in Provincial mapping before submitting a PDCA.
- (10) Unless the description is for a unit as defined in the *Condominium Act*, every legal description submitted to a registrar must be accurate and complete and must contain

- (a) a description of the location, boundaries and extent of the parcel
  - (i) in full text, or
  - (ii) by reference to a unique identifier on either a plan of survey or subdivision, that has been
    - (A) registered with an instrument under the *Registry Act*,
    - (B) filed under the *Registry Act*, or
    - (C) registered or recorded under the Act;
- (b) a description of all benefits, burdens and all parcels excepted out of the legal description
  - (i) in full text,
  - (ii) by reference to a unique identifier on either a plan of survey or subdivision, that has been
    - (A) registered with an instrument under the *Registry Act*,
    - (B) filed under the *Registry Act*, or
    - (C) registered or recorded under the Act, or
  - (iii) by reference to the registration or recording particulars of a document that has been registered or recorded under the *Registry Act* or the Act, if the document contains a description in full text;
- (c) all information pertinent to the use of easements
  - (i) in full text, or
  - (ii) by reference to the registration or recording particulars of a document that has been registered or recorded under the *Registry Act* or the Act, if the document contains the usage details in full text;
- (d) a statement that the parcel complies with, is exempt from, or is not subject to the subdivision provisions of Part IX of the *Municipal Government Act*; and

- (e) if exempt from or not subject to the subdivision provisions of Part IX of the *Municipal Government Act*, a statement of the exemption relied upon and the facts supporting the exemption, or an explanation of why the parcel is not subject to the subdivision provisions, as applicable.
- (11) When the legal description submitted for PDCA approval relates to a unit as defined in the *Condominium Act*, the description must be accurate and complete but must contain only
- (a) the name of the County where the condominium corporation is situate, together with the condominium corporation number as assigned by the Registrar of Condominiums;
  - (b) the description for the unit as detailed in the condominium description on file with the Registrar of Condominiums;
  - (c) a benefit, using the following wording: “together with the common interest appurtenant thereto”; and
  - (d) a burden, using the following wording: “subject to the Declaration and By-Laws (*remove reference to By-Laws if none have been registered*) of (*insert condominium corporation name and number*)”.
- (12) If a legal description submitted in a PDCA makes reference to a plan of survey or approved plan of subdivision that is not registered or recorded in the land registration office, the PDCA submitter must
- (a) forward a copy of the referenced plan of survey or approved plan of subdivision to the registrar for recording in the parcel register once created; or
  - (b) include detailed reasons with the PDCA why the plan of survey or approved plan of subdivision cannot be located or obtained by the submitter.
- (13) If the legal description of a registered parcel must be amended as the result of the creation of a plan of survey or the approval of a plan of subdivision affecting the parcel, the registered owner of the parcel, or a municipal development officer, as applicable,
- (a) must record the plan upon which the legal description is based in the parcel register; and
  - (b) may use a short form legal description as the amended legal

description.

- (14) A registrar may conditionally approve a PDCA subject to a correction of the legal description by the PDCA submitter.
- (15) An AFR of a parcel may not be submitted in final form in accordance with clause 10(2)(b) until the submitter has submitted an application to amend the legal description if required by the registrar.
- (16) Subject to subsection (17) and notwithstanding that watercourses are vested in the Crown by virtue of Section 103 of the *Environment Act*, a watercourse is deemed not to subdivide the parcel or parcels through which it flows.
- (17) Except as provided in subsection (18), if after considering the nature and use of both a watercourse and the land through which it flows, a PDCA submitter or a registrar determines that the watercourse creates a natural boundary,
  - (a) the watercourse is deemed to subdivide the parcel or parcels through which it flows; and
  - (b) the parcel owner must make a request for PID assignment in Form 1 and provide such information as will enable the preparation of an electronic geographical representation of the parcel before making a PDCA.
- (18) A parcel for which subdivision approval has been granted under the *Municipal Government Act*, or the former *Planning Act*, may not be subdivided under subsection (17).
- (19) If a registrar determines that a PDCA is accurate, complete and in compliance with the Act and the regulations, the registrar must approve the PDCA.

**Creation of legal description on subdivision**

- 8
- (1) If a parcel registered under the Act is subsequently subdivided, a legal description must be created for each subdivided parcel and the remainder lands.
  - (2) The registrar may
    - (a) create a short form legal description for one or more of the subdivided parcels and the remainder lands if the details shown on the plan of survey or approved plan of subdivision for a parcel referred to in subsection (1) are sufficient; or



- (b) require the registered owner of the parcel referred to in subsection (1) to submit the full text of the information required in subsection 7(10) by submitting a PDCA under subsection 7(1) for each subdivided parcel and the remainder lands.

**Amendment of legal description and parcel register on subdivision or condominium unit creation**

- 9**
- (1) On subdivision, the registrar shall remove the parcel access type from the parcel register of each parcel created on subdivision, including the remainder parcel.
  - (2) On registration of a condominium declaration, the registrar shall place in the parcel register of each unit created by the condominium declaration, the interests, and textual qualifications that were in the parcel register of the parcel existing prior to the registration of the condominium declaration.
  - (3) The registered owner of a parcel registered under the Act that is created on subdivision or registration of a condominium declaration must file all of the following before submitting a request to change the registered owner of the parcel:
    - (a) a Form 45 adding, confirming, deleting or correcting, as necessary, the interests, textual qualifications and parcel access type that
      - (i) are not shown in the parcel register,
      - (ii) have been placed in the parcel register under subsection 13(5) of the Act or subsection (2), or
      - (iii) have been removed from the parcel register under subsection (1);
    - (b) any consequential amendment of the legal description for the parcel in Form 2.

**Application for registration (AFR)**

- 10**
- (1) An AFR must be submitted by an authorized lawyer who is authorized to do so by the parcel owner or another person permitted under subsection (5).
  - (2) An AFR must be submitted electronically in Form 6
    - (a) in draft form for preliminary approval by the registrar; and
    - (b) in final form, after receipt of the preliminary approval of the registrar.

- (3) An AFR submitted in final form under clause 2 (b)
  - (a) contains and satisfies the requirements under clause 37(4) (b), (ba), (f) and (g) of the Act;
  - (b) registers title to the parcel under the Act; and
  - (c) creates the parcel register for the parcel at the time the application is submitted.
  
- (4) A reference in the AFR to the book and page in the registry of deeds for the document that most recently conveyed the registrable interest will be accepted as evidence of compliance with Part V of the *Municipal Government Act* for the purposes of clause 37(4)(e) of the Act.
  
- (5) Submission of an AFR and any forms associated with the application, may be authorized by a person other than the owner of a parcel if the authorizing person
  - (a) is the mortgagee of a parcel and the owner of the parcel has refused to register title to the parcel;
  - (b) is a non-owner who has permission from the owner to act in the place of the owner, and the document evidencing the permission has been recorded under the Act or registered under the *Registry Act*;
  - (c) is a mortgagee who is the plaintiff in a foreclosure action respecting the parcel, or a receiver or trustee by way of assignment in bankruptcy or otherwise and has authority to act by virtue of a court order, debenture or other document, and the document evidencing the authority has been recorded under the Act or registered under the *Registry Act*; or
  - (d) is a person who has authority to act by virtue of a court order, debenture or other document, and the document evidencing the authority has been recorded under the Act or registered under the *Registry Act*.
  
- (6) An authorized lawyer who submits an AFR in final form under clause (2)(b) must complete, retain and make available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society, the original or a true copy of any of the following items:
  - (a) written authorization to submit the PDCA and AFR, if the submitting

lawyer does not have a solicitor-client relationship with the owner of the parcel being registered;

- (b) an owner's declaration regarding occupation of the parcel and residency status in Form 5 and, if signed by the authorized lawyer or authorized surveyor, evidence of the information relied upon under subsection (7);
  - (c) the notice of parcel registration, in Form 9, sent in accordance with this Section, together with proof of service in accordance with Section 30, and any written directions given by the Registrar General under this Section, if applicable;
  - (d) the Statement of Registered and Recorded Interests that was sent electronically to the submitting lawyer upon submission of the AFR in final form;
  - (e) the official report for the legal description from the parcel description database in *Property Online* at the time of submission of the AFR in final form;
  - (f) the abstract of title upon which the submitting lawyer's certified opinion of title is based showing the chain of ownership of the parcel; and
  - (g) evidence of compliance with the *Municipal Government Act*.
- (7) An owner's declaration in Form 5 may be executed by an authorized lawyer or authorized surveyor if the authorized lawyer or authorized surveyor is able to execute the declaration based on either of the following:
- (a) personal knowledge of the facts;
  - (b) information received from the current or previous owner.
- (8) If a person executing an owner's declaration in Form 5 is an authorizing person under subsection (5), the Form 5 may indicate that the person executing the Form 5 has no personal knowledge regarding occupancy of the parcel.
- (9) If a parcel owner's declaration regarding occupation in Form 5 discloses that the parcel is occupied without permission, the authorized lawyer submitting the AFR must
- (a) immediately after submitting the AFR in final form, provide a notice

of parcel registration in Form 9 to the occupier indicating that an AFR of the parcel has been made; and

- (b) submit a true copy of the notice sent to the occupier in Form 9 together with proof of service in accordance with Section 29, using Form 26N.
- (10) Except as provided in subsection (11), if an authorized lawyer who is certifying title to a parcel whose ownership is registered in whole or in part on the basis of adverse possession, must
- (a) send a notice of registration in Form 9 to the last known owner, before the owner whose interest is being registered with the AFR, of the parcel as shown on the consolidated index that is maintained under the *Registry Act*; and
  - (b) submit a true copy of the notice sent in Form 9 and any written directions from the Registrar General under subsection 31(2) using Form 26N, together with proof of service in accordance with Section 30.
- (11) Notice is not required to be sent under subsection (10) if
- (a) the Registrar General is satisfied that it would not be practicable to give notice in the circumstances and provides written directions to the authorized lawyer that no notice is required; and
  - (b) the authorized lawyer submits a true copy of the Registrar General's written directions using Form 26N.
- (12) If at any time after registration of title to a parcel, a registered owner becomes aware that the declaration required under clause (6)(b) was not accurate, they must do all of the following without delay:
- (a) complete a new Form 5;
  - (b) provide notice in Form 9 to any occupier;
  - (c) submit a true copy of the notice and proof of service, as required by subsection (9), using Form 26N.
- (13) An authorized lawyer who is certifying title to a parcel whose ownership is registered in whole or in part on the basis of adverse possession must ensure that all of the following are done with the necessary statutory declarations that provide evidence of the adverse possession interest being certified, in

compliance with Nova Scotia Barristers' Society practice standards:

- (a) the declarations are filed in the Registry of Deeds before the parcel is registered under the Act;
  - (b) the declarations are listed as enabling documents in the registered interest portion of the AFR for the parcel, noting the registered owner as the interest holder for each of the statutory declarations.
- (14) Sections 14, 16, 17 and 18 apply, with necessary changes, to an AFR that includes the recording of a benefit or burden that affects another parcel in addition to the parcel being registered.

### **Textual qualifications**

- 11 (1) An authorized lawyer submitting an opinion on title in an AFR or a certificate of legal effect may include a textual qualification if the lawyer is of the opinion that the textual qualification is the only means to provide a complete statement of all the interests affecting the parcel.
- (2) A textual qualification must meet all of the following criteria:
- (a) it must include a clear statement of the certifying lawyer's opinion about its effect;
  - (b) it must form part of the authorized lawyer's certificate of legal effect or opinion of title;
  - (c) it must not limit, contradict or make ambiguous any other information in the parcel register, including the legal description.

### **Registration of condominium units**

- 12 (1) An AFR for a unit as defined in the *Condominium Act* must include
- (a) a benefit, using the following wording: "together with the common interest appurtenant thereto";
  - (b) a burden, using the following wording: "subject to the Declaration and By-Laws (*remove reference to By-Laws if none have been registered*) of (*insert county name or initial(s)*) CC No. (*insert condominium corporation number*)";
  - (c) all other benefits and burdens that are not declarations, by-laws or amendments to declarations or by-laws, but are interests in the unit or the common interest appurtenant thereto, including those detailed in the condo declaration; and

- (d) all recorded interests in the unit or the common interest appurtenant thereto.
- (2) The enabling instrument for the benefit and burden described in clauses (1)(a) and (b) must be the declaration for the condominium corporation.
- (3) Subject to the caution displayed in the Important Notice section of the Condo Common View, the relevant documents displayed in the Condo Common View, including in the linked screen views in the section entitled “Parcels as existing prior to the Condominium Declaration”, are deemed to be registered and recorded, as applicable, in the parcel register for each of the condominium corporation units, that is registered under the Act.
- (4) A document certifying the deregistration of a condominium corporation with units registered under the Act may not be recorded unless all the units in the condominium corporation have been registered under the Act.

**Registration of interest under Section 41 of the Act**

**13** A person registering an interest in a parcel under Section 41 of the Act must first submit

- (a) a PDCA in accordance with Section 7; and
- (b) an AFR in accordance with Section 10.

**Addition of a benefit or burden to a parcel registered under the Act**

**14 (1)** An authorized lawyer may add any benefit or burden permitted under the Act to be added to a parcel register, if authorized by the registered owner of the parcel, by submitting a Form 24 together with the document that conveys or evidences the benefit or burden.

- (2) If a benefit or burden added under subsection (1) affects another parcel registered under the Act, and the corresponding benefit or burden is not already included in the affected parcel register, an authorized lawyer submitting a Form 24 under subsection (1) must also submit another Form 24 to add the corresponding benefit or burden to the affected parcel register.
- (3) If a benefit or burden added under subsection (1) affects another parcel not registered under the Act, an authorized lawyer submitting a Form 24 under subsection (1) must register a notice of the corresponding benefit or burden under the *Registry Act*, by filing a Form 44 and one of the following:
  - (a) a Form 8A, for all benefits or burdens other than as referred to in clause (b);

- (b) the document evidencing the benefit or burden, if it is a grant of easement.
- (4) An authorized lawyer who submits a Form 24 under subsection (1) must also apply to amend the legal description for each parcel registered under the Act to which a burden or benefit has been added.
- (5) An authorized lawyer who submits a Form 24 under subsection (1) must serve notice, in Form 8, on the owner of the parcel to which the benefit or burden is being added under subsection (2), unless the owner has executed the document that conveys or evidences the benefit and corresponding burden.
- (6) If notice is required to be served under subsection (5), an authorized lawyer who submits a Form 24 under subsection (1) must retain a true copy of the notice in Form 8 together with proof of service in accordance with Section 30, and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.
- (7) A document filed under clause 3(a) or (b) must reference the owner of the parcel not registered under the Act as shown on the consolidated index maintained under the *Registry Act*, unless
  - (a) an assessment account is associated with the parcel in Property Online, in which case the document may instead reference the owner of the parcel as shown in Property Online; or
  - (b) the Registrar General is satisfied that it would not be practicable to identify the owner on the consolidated index and the Registrar General does one or both of the following:
    - (i) provides written directions to the authorized lawyer about how the owner must be referenced;
    - (ii) issues a written directive about how an owner may be referenced in the applicable circumstances.
- (8) An authorized lawyer must retain a true copy of any written directions received under subsection (7) and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

**Addition of a benefit or burden to a parcel not registered under the Act**

- 15** (1) A person who registers a document that creates or evidences a benefit or burden on a parcel not registered under the Act, which also affects a parcel

registered under the Act, must also cause an authorized lawyer to submit a Form 24 to add the corresponding benefit or burden to the affected parcel register together with a true copy of the document that conveys or evidences the benefit and the corresponding burden, which has been certified to be a true copy of the original by a person authorized under the Act to sign a certificate of execution.

- (2) The authorized lawyer who has submitted the Form 24 under subsection (1), must also make application to amend the legal description of the parcel registered under the Act to which a benefit or burden has been added under subsection (1).
- (3) The authorized lawyer who has submitted the Form 24 under subsection (1) must serve notice, in Form 8, on the owner of the parcel registered under the Act to which a benefit or burden has been added under subsection (1), unless the owner has executed the document that conveys the benefit and the corresponding burden.
- (4) Where notice is required to be served under subsection (3), the authorized lawyer who has submitted the Form 24 under subsection (1), must retain a true copy of the notice in Form 8 together with proof of service in accordance with Section 30, and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

**Addition of burdens and restrictive covenants which do not require identification or addition of benefit**

- 16 (1) Despite Sections 14 and 15, an authorized lawyer is not required to identify or add a corresponding benefit to other affected parcels when adding
- (a) a burden in favour of a public utility, an unidentified utility, or a municipality, or
  - (b) restrictive covenants,
- to a parcel registered under the Act.
- (2) The authorized lawyer who makes an application to add an interest in clause (1)(a) or (b) to a parcel registered under the Act must
- (a) submit a request and certificate of legal effect, in Form 24, to revise the parcel register of the parcel to which the interest is being added; and
  - (b) make application to amend the legal description of the parcel to



which the interest is being added; and

- (c) serve notice, in Form 8, on the owner of the parcel to which the interest is being added, unless the owner has executed the document that conveys or evidences the interest.
- (3) If notice is required to be served under clause (2)(c), the authorized lawyer who makes application to add the interest in clause (1)(a) or (b) to a parcel registered under the Act, must retain a true copy of the notice in Form 8 together with proof of service in accordance with Section 30, and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

**Exemption from requirement to identify or add corresponding benefit or burden**

- 17 (1) Despite Sections 14 and 15, an authorized lawyer who is adding a benefit or burden to a parcel that is registered under the Act, may be exempted from the requirement to identify or add a corresponding benefit or burden to other affected parcels if a registrar is satisfied that it would not be practicable to do so.
- (2) To obtain an exemption under subsection (1), an authorized lawyer must apply in writing to a registrar, providing the reasons for the request and any additional information requested by the registrar.
- (3) An authorized lawyer must retain a true copy of an exemption obtained under subsection (1) and make it available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

**Notice of overriding interest in a registered parcel**

- 18 Any person recording an overriding interest in a parcel registered under the Act must notify the registered owner in Form 8 and, if adding a benefit or burden to a parcel, comply with the requirements in Sections 14, 16 and 17.

**Registrar General's correction of error or omission**

- 19 (1) Except as provided in Section 20 for correcting a registrar's error or omission, the Registrar General may correct an error or omission in a parcel register in accordance with this Section.
- (2) The Registrar General must provide notice in writing of the details of any identified error or omission and the proposed correction to all of the following:
- (a) any registered owner of the affected parcel;
  - (b) any interest holder shown in the parcel register who may be affected

by the error or omission;

- (c) the authorized lawyer who certified the information being corrected.
- (3) Any registered owners and any interest holders notified under subsection (2) must be given 15 days from the date of the notice to consent or object to the Registrar General's proposed correction.
- (4) If a notified registered owner or interest holder objects to a proposed correction within 15 days from the date of the notice under subsection (2), the Registrar General must make any necessary further inquiries and notify any registered owners and any interest holders who received the original notice that
  - (a) the Registrar General has abandoned the proposed correction; or
  - (b) the proposed correction will take effect 30 days after the date of the notice under this subsection unless they have commenced a proceeding in the Supreme Court of Nova Scotia and submitted a certificate of *lis pendens* in Form 19 for recording.
- (5) If all notified registered owners and interest holders consent or do not object to the Registrar General's correction proposal, the Registrar General may direct a registrar to correct the error or omission as proposed.
- (6) Nothing in this Section affects the Registrar General's powers under Section 56 of the Act.

#### **Correction of registrar's errors**

- 20**
- (1) The Registrar General may direct a registrar to correct a registrar's error in a parcel register caused by an error in processing, indexing or accepting a document.
  - (2) All of the following must be done to complete the correction of a registrar's error under this Section:
    - (a) the registrar must ensure that a written record of the correction is placed in the parcel register;
    - (b) notice is provided in accordance with Section 19, unless the Registrar General is satisfied that no registered owner or interest holder could be adversely affected by the correction.

#### **Request for correction of errors in recorded interests previously submitted without a certificate of legal effect**

- 21** (1) An authorized lawyer who is acting on behalf of a registered owner of an affected parcel or any other interest holder affected by an error in a request to record, or request to cancel the recording of, a recorded interest previously submitted on a Form 26, 26L, 27 or 27L that does not contain a certificate of legal effect may request correction of the error by submitting a request to a registrar in Form 49, if the lawyer has done one of the following:
- (a) they have notified and obtained the consent, in writing, of the registered owner of the affected parcel and any other interest holder shown in the parcel register who may be affected by the error;
  - (b) they have obtained the prior written approval of the Registrar General, who may withhold approval or impose such notice or other requirements as the Registrar General considers appropriate in the circumstances.
- (2) An authorized lawyer must retain a true copy of all documentation or information that supports their requested correction and any approvals and consents obtained under this Section and make them available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

**Correction of errors or omissions in registration, recording or other information certified by certificate of legal effect**

- 22** (1) In this Section, "certificate of legal effect" includes an opinion of title on an AFR.
- (2) An authorized lawyer who is aware that there is an error or omission in a registration or recording or other information in a parcel register certified by a certificate of legal effect that the authorized lawyer previously submitted as required under these regulations must, without delay, request a correction of the particulars certified by the certificate of legal effect in Form 6A and do one of the following:
- (a) notify and obtain the consent, in writing, of the registered owner of the affected parcel and any other interest holder shown in the parcel register, who may be affected by the error or omission; or
  - (b) obtain the prior written approval of the Registrar General, who may withhold approval or impose any notice or other requirements the Registrar General considers appropriate in the circumstances.
- (3) An authorized lawyer who is acting on behalf of a registered owner of an affected parcel or any other interest holder affected by an error or omission

may submit a correction of the error or omission in a registration or recording or other information in a parcel register certified by a certificate of legal effect previously submitted by another authorized lawyer, if the lawyer complies with the requirements in subsection (2) and has one of the following:

- (a) the agreement, in writing, of the authorized lawyer who previously submitted the certificate of legal effect;
  - (b) the written approval of the Registrar General, who may withhold approval or impose any notice or other requirements the Registrar General considers appropriate in the circumstances.
- (4) An authorized lawyer must retain a true copy of all documentation or information that supports their correction and any approvals and consents obtained under this Section and make them available for review by the Registrar General upon request and audit by the Nova Scotia Barristers' Society.

#### **Content of parcel register**

**23** (1) A parcel register must contain all of the following:

- (a) the PID assigned to the parcel;
- (b) a legal description for the parcel that complies with subsection 7(10);
- (c) the name and mailing address, if known, of each registered owner of the registered interest in the parcel described in clauses 17(1)(a), (b) and (c) of the Act;
- (d) the names and mailing addresses, if known, of all holders of a recorded interest in the parcel;
- (e) the submission particulars or full text of every document by which the title to the parcel is affected, as registered or recorded under the Act or the *Registry Act*;
- (f) a reference to the instrument type assigned to any registered or recorded interest, which information is provided for convenience only and is not part of the registered or recorded interest;
- (g) a reference to the interest type assigned to any registered or recorded interest;
- (h) a reference to any judgment recorded within the registration district

which is, or may be, a charge upon the registered interests of the registered owner and any predecessor in title at the time of registration or revision of the registered ownership of the parcel;

- (i) a reference to any statement made under Section 38 of the Act as to whether any of the owners of the interest is a non-resident;
  - (j) the manner of tenure for the registered interest in the parcel;
  - (k) any textual qualification added under Section 11.
- (2) A parcel register is deemed to be a complete statement of all judgments recorded in the registration district which are, or may be, a charge upon the registered interests of the registered owner and any predecessor in title at the time of registration or, if subsequently revised, at the time of the last revision of the registered ownership of the parcel.
- (3) An archive register is not part of a parcel register.
- (4) A reference to an enabling instrument in a parcel register can be used to enable all benefits and burdens referred to in that instrument, which are between the same parties.

#### **Prescribed contracts**

- 24 (1) Option agreements and rights of first refusal are prescribed contracts for the purposes of the definition of “interest” in clause 3(1)(g) of the Act.
- (2) A prescribed contract may be recorded in a parcel register and, if recorded, is subject to the Act’s recording and cancellation of recording provisions.

#### **Tenants in common**

- 25 (1) An application for registration of a tenant in common interest in a parcel which has not been registered under the Act must be made in accordance with the provisions of Section 10 and must clearly state the percentage or share of each interest being registered.
- (2) In order to register an unregistered tenant in common interest in a parcel which has been registered under the Act, an authorized lawyer must complete and submit a request and certificate of legal effect in Form 24 and complete, retain and make available for review by the Registrar General upon request and audit by the Nova Scotia Barristers’ Society, the following items:
- (a) an owner’s declaration regarding occupation of parcel and residency status in Form 5;

- (b) a copy of the abstract of title upon which the submitting lawyer's opinion in Form 24 is based; and
  - (c) a copy of the notice of registration in Form 9, together with proof of service in accordance with Section 30, if applicable.
- (3) If an unregistered tenant in common interest in a parcel which has been registered under the Act is transferred for no value as disclosed in the affidavit filed under the *Municipal Government Act*, the owner of the unregistered tenant in common interest must apply to have the parcel register updated using Form 50.

### **Judgment information**

- 26 (1) For the purposes of recording a judgment in accordance with subsections 67(1) and (4) of the Act or requesting confirmation of a debtor's identity in accordance with Section 68 of the Act, information that tends to distinguish a person from another person of the same or similar name includes a date of birth.
- (2) For the purposes of clause 66A(2)(a) of the Act,
- (a) surnames that begin with "Mc" are identical to surnames that begin with "Mac" and *vice versa*;
  - (b) surnames that include apostrophes, accents, spaces or a mixture of upper and lower case letters are identical to names of the same spelling that do not include these features; and
  - (c) names of legal entities that include "the", "a" or "an" are identical to names of the same spelling that do not include these words.
- (3) A judgment creditor who holds a judgment that is recorded in the judgment roll may update the name or address of the judgment debtor in the judgment roll and, if applicable, the parcel register, by recording a request in Form 20.
- (4) An update of name or address under subsection (3) is effective from the date and time that the request was recorded.
- (5) On the coming into force of the Act, statutory declarations respecting judgments must be recorded in the judgment roll.
- (6) An affidavit recorded under subsection 68(3) of the Act must be recorded in the judgment roll and must have attached as exhibits
- (a) a copy of the request for confirmation that was sent to the judgment

creditor under subsection 68(1) of the Act;

- (b) proof of delivery of the request for confirmation;
- (c) any request for further information received from the judgment creditor; and
- (d) a copy of the response to any request for further information together with proof of delivery of the response.

**Deemed removal or request for cancellation of judgments**

**27** (1) A judgment is deemed to be removed from the judgment roll when any of the conditions of subsection 66(4) of the Act are met.

- (2) For a judgment recorded in the judgment roll or a parcel register,
  - (a) a full or partial release signed by the judgment creditor under subsection 69(3) of the Act, and recorded using a request in Form 48; or
  - (b) a certificate of satisfaction or certificate of discharge from the court that is recorded using a request in Form 47,

is deemed to be evidence of a request by the holder of the interest to cancel the recording of the interest under clause 57(1)(b) of the Act, and may be recorded by the debtor or debtor's agent.

**Security interest holder compliance with subsection 51(4) of the Act**

**28** (1) Subsection 51(4) of the Act does not apply to a security interest that is intended to remain in place to secure future advances.

- (2) Except as provided in subsection (3), a security interest holder is not in compliance with the requirement to record a release of a security interest in subsection 51(4) of the Act unless all necessary releases of a security interest and related documents are submitted for recording within a reasonably prompt time after the obligation secured by the security interest is paid in full.
- (3) A security interest holder is deemed to be in compliance with subsection 51(4) of the Act if, at an owner's request, the security interest holder sends a release of the security interest to the owner for recording and the release is recorded.

**Notice to cancel or amend a recorded interest**

**29** (1) A notice in Form 15 to a registrar to cancel or amend the recording of a

security interest under subsection 60(2) of the Act must be submitted together with

- (a) a statutory declaration that outlines to the registrar's satisfaction the reasonable and probable grounds that were used as a basis for the demand to cancel or amend the recording of the security interest; and
  - (b) proof that the demand was served on the security interest holder in accordance with Section 30.
- (2) A notice in Form 15A to a registrar to cancel the recording of a recorded interest or judgment under Section 63 of the Act must be submitted together with
- (a) an affidavit that complies with subsection 63(2) of the Act; and
  - (b) proof that the demand was served on the interest holder in accordance with Section 31.

#### **Proof of service**

**30** The service of any document may be proved by an affidavit, which must state

- (a) by whom the document was served;
- (b) the day of the week and the date on which it was served;
- (c) where it was served; and
- (d) how service was effected,

and a copy of any document served must be attached as an exhibit to the affidavit.

#### **Service of notice**

- 31** (1) Unless otherwise provided in the Act or these regulations, all notices required by the Act or these regulations to be sent must be sent by any means that affords proof of delivery.
- (2) If the name or address of a person to whom a notice must be sent is not known, or if service under subsection (1) is not practicable, the Registrar General may provide directions for substituted service of any notice required by the Act or these regulations.

#### **Appeals to Registrar General**

- 32** (1) To appeal a decision of a registrar under Section 90 of the Act, a person must submit an appeal in writing to the Registrar General in paper format or



electronically, following the instructions in Property Online, together with all of the following:

- (a) the fee prescribed under the *Land Registration General Regulations*, if any;
  - (b) a copy of the registrar's decision that is being appealed;
  - (c) a copy of the documents that are the subject matter of the appeal;
  - (d) a clear statement of the reasons why the registrar's decision is incorrect and any other explanatory information.
- (2) An application for an appeal under this Section must state in bold in the subject line "Appeal of a Registrar's Decision - PID(s) (*insert PIDs of affected parcel(s)*)- County(ies) (*insert name(s) of County/ies where affected parcel(s) are located*)".

## Form 1

*Purpose: To request a PID assignment*

Registration district: _____ Submitter's user number: _____ Submitter's name: _____	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;"><b>Land Registration Office use only</b></td> </tr> <tr> <td style="width: 70%;">PID assigned</td> <td style="width: 30%; text-align: center;">_____</td> </tr> <tr> <td>Property Mapper</td> <td style="text-align: center;">_____</td> </tr> <tr> <td>Date:</td> <td style="text-align: center;">_____</td> </tr> </table>	<b>Land Registration Office use only</b>		PID assigned	_____	Property Mapper	_____	Date:	_____
<b>Land Registration Office use only</b>									
PID assigned	_____								
Property Mapper	_____								
Date:	_____								

*(Select one)*

- This parcel is not mapped
- This parcel is a portion of existing PID \_\_\_\_\_.
- This parcel is not mapped and is being subdivided by deed out of existing PID \_\_\_\_\_.

Assessment account: \_\_\_\_\_ External file number: \_\_\_\_\_

Parcel location: Civic # \_\_\_\_\_ Street name: \_\_\_\_\_ Lot # \_\_\_\_\_  
 Community: \_\_\_\_\_

Additional location information: \_\_\_\_\_

Reference for latest conveyance document that contains a legal description (*include the description number if there are multiple parcels in the legal description*):

<b>Book</b>		<b>Page</b>	
<b>Document Number</b>		<b>Year</b>	
<b>Description Number (if applicable)</b>			

Is the request for parcel description certification related to a pending property transaction?  
 Yes  No

*Note: The form must include sufficient information concerning the size and location of the parcel as will permit the registrar to assign the parcel identification number for the parcel and create a geographical representation of the parcel in Provincial mapping, showing it in relation to neighbouring parcels with reasonable accuracy.*

**Additional comments:**

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**Statement of Applicant**

1. I have reviewed the mapping and confirm that the parcel described in the attached legal description is not geographically represented on the Provincial map.
  
2. I have attached information that is intended to enable the property mapper to locate and geographically represent the parcel.

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,

\_\_\_\_\_, 2 \_\_\_\_\_.

---

Signature of Applicant

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 2**

**Parcel Description Certification Application**

*Land Registration Act, S.N.S. 2001, c. 6, clause 37(4)(g)*

*Land Registration Administration Regulations, clause 5(1)(a) and subsection 7(1)*

(Electronic Application)

PID	
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Application type: *If PID has a certified legal description, field defaults to amending parcel; if not, it defaults to existing parcel (system generated).*

User supplied reference: \_\_\_\_\_

Assessment account number (AAN): \_\_\_\_\_

Reference for latest conveyance document that contains a legal description (*put comment in comment field if multiple parcels in the legal description*):

Book: \_\_\_\_\_

Page: \_\_\_\_\_

Document/instrument number/year: \_\_\_\_\_

Parcel location: *Civic number, street name, lot number, community (all system generated)*

Apparent owners: *Name, sub-type, type, interest type, qualifier (all system generated)*

Legal description:

Comments:

Statement of Compliance:

*Please note: If the authorized submitter has confirmed the information below, staff of the authorized submitter may submit the PDCA on the authorized submitter's behalf.*

The authorized submitter is submitting this PDCA for approval and confirms that:

The owner applicant has authorized him/her to submit this application.

The authorized submitter has reviewed the legal description included in this application and checked the provincial property mapping graphics. If the graphics do not match the legal description, any apparent discrepancies have been noted in the comments field of this application.

The legal description is accurate and complete and complies with the *Land Registration Administration Regulations*, professional standards regarding legal descriptions and the PDCA standards and policies.

Before an application for registration is submitted in final form the authorized submitter will confirm with the owner that the graphics identified by the PID appear to match the legal description for the PID.

**Form 5**

*Purpose: owner’s declaration regarding occupation of parcel and residency status*

Registration district: \_\_\_\_\_

Submitter’s user number: \_\_\_\_\_

Submitter’s name: \_\_\_\_\_

**In the matter of** Parcel Identification Number (PID)

PID	
PID	

*(Expand box for additional PIDs.)*

**And in the matter of** the registration of the above-noted parcel(s) under the *Land Registration Act* and regulations:

I/We (*insert name(s)*) \_\_\_\_\_, of \_\_\_\_\_ in the County of \_\_\_\_\_, solemnly declare (*select all statements that apply*):

- I am/We are/the corporation is the owner(s) of the parcel identified as the above-noted PID.
- Her Majesty the Queen in Right of Canada/the Province of Nova Scotia is the owner(s) of the parcel identified as the above-noted PID.
- I am/the corporation is a non-owner of the parcel who is authorized under the *Land Registration Administration Regulations* to execute this declaration.
- I am/we are/the corporation is a non-resident of the Province of Nova Scotia, as defined in the *Land Registration Administration Regulations*.
- To my/our knowledge neither the parcel nor a portion of the parcel is occupied without permission.
- To my/our knowledge the whole or a portion of the above-noted parcel is occupied without permission.

The occupation commenced on or about \_\_\_\_\_.

The name and address of the person in occupation is (*if unknown, state “unknown”*)

\_\_\_\_\_.

Other details relating to the occupation without permission are as follows:


I am/we are/the corporation is submitting this declaration in support of an application for registration under Section 37 of the *Land Registration Act*.

**If at any time after the registration, I/we/the corporation become(s) aware that this declaration is not accurate, a new Form 5 will be completed and notice provided to any occupier in accordance with the *Land Registration Administration Regulations*.**

I make/we make this solemn declaration conscientiously believing it to be true and knowing it to be of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

**Declared** at \_\_\_\_\_, )  
In the )  
County of \_\_\_\_\_, )  
Province of Nova Scotia, on \_\_\_\_\_ )  
\_\_\_\_\_, 2\_\_ before me, )  
 )  
 )  
A Commissioner/Barrister of the Supreme )  
Court of Nova Scotia )

\_\_\_\_\_  
(Type name of deponent(s) below line.)

**Form 6**

**Application for Registration**

*Land Registration Act, S.N.S. 2001, c. 6, subsections 18(1) and 37(4)*

*Land Registration Administration Regulations, clause 9(2)(a)*

**(Electronic Application)**

AFR tracking number: *(system generated)*

Parcel Identification Number (PID): \_\_\_\_\_

Location: *(system generated)*

Title certification date/time  
(yyyy-mm-dd hh:mi): \_\_\_\_\_

Parcel access: Pick from: public, public (other), private, private (by grant), private (by prescription), private (openly used and enjoyed), private (other), right of way/driveway, right of way/walkway, navigable waterway, no access, other (specify) \_\_\_\_\_

Triggered by: Pick from: deed, mortgage, subdivision, new condominium corporation, voluntary or certificate of title

Comments:

Manner of tenure: Pick from: joint tenants, tenants in common, not applicable, not specified, mixture of joint tenants and tenants in common. The description of tenure field is optional if the manner of tenure is “tenants in common”, and mandatory if the manner of tenure is a “mixture.”

Description of tenure:



**Registered Interests**

Name (individual or company or entity): \_\_\_\_\_  
Qualifier (if applicable): Pick from: estate, executor, in care of, otherwise known as, owner unknown, personal representative or trustees  
  
Interest type: Pick from: fee simple, interest of Her Majesty, life interest or remainder interest.  
Instrument type: Pick from list of document types  
County (of recording for document) \_\_\_\_\_  
Enabling document recording particulars: *(complete sub-screen fields)*  
Mailing address: \_\_\_\_\_  
Non-resident of Nova Scotia status: *(yes or no to disclosure statement)*

**Farm Loan Board - Occupants and Mailing Address**

Name (individual or company or entity): \_\_\_\_\_  
Mailing address: \_\_\_\_\_

**Benefits to the Registered Interest**

**Benefit Details**

Interest type: Pick from: Easement/ROW Holder (Benefit), Condominium Interest (Benefit), Party to Agreement (Benefit), Covenant Holder (Benefit) or Licensee (Benefit)  
Instrument type: Pick from instrument type list  
Enabling document recording particulars: *(complete sub-screen fields)*  
Unregistered interests: Yes or No  
Servient Tenement PID \_\_\_\_\_  
or Various PIDS (not specified)

**Benefits to the Registered Interests - Servient Tenement PIDS**

PID: \_\_\_\_\_  
Choose Benefit Enabling Instrument: (System generated list)  
Benefit ID: (System generated)

Unregistered Interest Yes or No

**Burdens on the Registered Interests**

Name (individual or company or entity): \_\_\_\_\_

Qualifier (if applicable): Pick from: estate, executor, in care of, otherwise known as, owner unknown, personal representative or trustees

Interest type: Pick from: Condominium interest (burden), covenant holder (burden), easement/right of way holder (burden), party to agreement (burden), licensee (burden) or easement/ROW holder (burden)/dominant PID

Instrument type: Pick from list of document types

County (of recording for document) \_\_\_\_\_

Enabling document recording particulars: *(complete sub-screen fields)*

Dominant Tenement PID \_\_\_\_\_  
or Various PIDS (not specified)

Unregistered interest: Yes or No

Mailing address: \_\_\_\_\_

**Burdens on the Registered Interests - Dominant Tenement PIDs**

PID or Various PIDs, \_\_\_\_\_

Not Specified

Instrument type: Pick from list of document types

County (of recording for document) \_\_\_\_\_

Enabling document recording particulars: Choose an existing burden/enabling instrument

Unregistered interest: Yes or No

**Textual Qualifications on Title**

**Tenants in Common Not Registered Under the *Land Registration Act***

(For a new name to be added):

Name of Individual, Company or Entity: \_\_\_\_\_

Qualifier (if applicable) Pick from: estate, executor, in care of, otherwise known as, owner unknown, personal representative or trustees

Interest type: (System generated)

Import Property Online owners: (*yes or no*)

**Recorded interests**

Name (individual or company or entity): \_\_\_\_\_

Qualifier (if applicable): Pick from: estate, executor, in care of, otherwise known as, owner unknown, personal representative or trustees

Interest type: Pick from: assignee, attorney, claimant/plaintiff, condo interest, debenture holder, deponent, easement security interest, guardian, judgment creditor, lessee, licensee, mortgagee, party to agreement, personal representative, tax sale recipient or trustee.

Instrument type: Pick from list of document types

County (of recording for document) \_\_\_\_\_

Enabling document recording particulars: (*complete sub-screen fields*)

Unregistered interest: Yes or No

Mailing address: \_\_\_\_\_

**OPINION & CERTIFICATE OF TITLE**

I hereby certify to the Registrar General under clause 37(4)(b) of the Land Registration Act as follows:

1. The information contained in the Application for Registration for this parcel is a true and correct summary of the title information with respect to the PID that is described below, as disclosed by the records on file in the Land Registration Office for the county where the

parcel lies, and in the Owner's Declaration Regarding Occupation of Parcel and Residency Status in Form 5.

2. This opinion of title is based upon a title search and abstract of title that have been conducted or completed in accordance with the current Nova Scotia Barristers' Society Professional Standards: Real Property Transactions in Nova Scotia.
3. This opinion is subject to the accuracy of the indices at the office of the Registrar of Deeds.
4. The abstract of title shows a chain of ownership of the parcel to the standard required to demonstrate a marketable title under (select all that apply)

- the Marketable Titles Act
- the common law
- the Limitation of Actions Act
- other enactment (specify):

5. The root of title to this parcel is found in a document that has the following particulars:  
Instrument Type:

Execution Date (yyyy-mm-dd):    Registration Date (yyyy-mm-dd):

Book #: \_\_\_\_\_ Page #: \_\_\_\_\_ Document #: \_\_\_\_\_

6. This Application for Registration is a true and accurate summary of the registered interest, benefits, burdens, qualifications on title, recorded interests, and means of access that apply to this parcel.
7. There are no other encumbrances affecting the title to the land disclosed by the records on file in the land registration office for the county where the parcel lies except those specified herein.
8. The applicable statement respecting the subdivision provisions contained in Part IX of the Municipal Government Act is accurately set forth in the official parcel description for the parcel.

9. For the purposes of registration of the title of the above-noted PID a policy of title insurance (select one)
- was not issued with respect to this parcel
  - was issued with respect to this parcel in order to (provide details of the reason a title insurance policy was required)
10. Unless noted above, this opinion is subject to
- (a) rights in respect of the lands, which may have been acquired by adverse possession or prescription; and
  - (b) overriding interests stipulated in Section 73 of the Land Registration Act that are not contained in registered instruments that appear within the period covered by the title search and abstract of title referenced in this certification and opinion.
11. I have obtained all affidavits and other documents required under Section 37 of the Land Registration Act and the Land Registration Administration Regulations, and these documents, and the Abstract of Title referenced in Certification Statement Number 2, will be retained and available for audit by the Nova Scotia Barristers' Society.
12. No opinion is expressed as to
- (a) the actual boundaries of the lands, the location of any buildings or structures in relation to the actual boundaries of the lands, or the size of the lands;
  - (b) the validity, enforceability of, or compliance with, restrictive covenants if contained in the signed Statement of Registered and Recorded Interests attached hereto; or
  - (c) the validity or effect of the recorded interests listed in the signed Statement of Registered and Recorded Interests attached hereto

#### Parcel Description Information

**Form 6A**

*Purpose: to correct error(s) or omission(s) in information which was previously submitted with a Certificate of Legal Effect*

**(Instrument type: 855)**

For Office Use

Registration district: \_\_\_\_\_  
Submitter's user number: \_\_\_\_\_  
Submitter's name: \_\_\_\_\_



**In the matter of Parcel Identification Number (PID)**

PID	
PID	

*(Expand box for additional PIDs. Maximum 9 PIDs per form.)*

**I confirm that I have read the requirements for submission of this form, as set out in Section 22 of the *Land Registration Administration Regulations*, and have obtained any required consents and complied with any notice requirements and directions.**

I am submitting this form to correct error(s) or omission(s) made in the submission of the following *(select appropriate box)*:

- Document Number \_\_\_\_\_
- Application for Registration

The reason(s) for the correction is/are as follows *(Note: this field must be completed)*:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- The interests or information in the parcel register are to be changed as follows: (*insert N/A if not applicable*):

<b>Instrument type</b>	
<b>Expiry date</b> (if applicable)	
<b>Interest holder and type to be removed</b> (if applicable)	
<b>Interest holder and type to be added</b> (if applicable) <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Mailing address of interest holder to be added</b> (if applicable)	
<b>Manner of tenure to be removed</b> (if applicable)	
<b>Manner of tenure to be added</b> (if applicable)	
<b>Description of mixture of tenants in common and joint tenancy</b> (if applicable)	
<b>Percentage or share of interest held</b> ( <i>for use with tenant in common interests</i> )	
<b>Non-resident</b> (to qualified solicitor's information and belief) ( <i>Yes/No?</i> )	
<b>Servient Tenement PID</b> (if applicable)	
<b>Access type to be added</b> (if applicable)	
<b>Access type to be removed</b> (if applicable)	
<b>Textual Qualification to be removed</b> (if applicable)	
<b>Textual Qualification to be added</b> (if applicable)	
<b>Reference to related instrument in names-based roll/parcel register</b> (if applicable)	

- I have searched the judgment roll with respect to the registration or revision of the registered interest and have determined that it is appropriate to add the following judgment(s) or judgment-related documents to the parcel register, in accordance with the *Land Registration Act* and *Land Registration Administration Regulations*:

<b>Instrument type</b>	
<b>Interest holder name and type to be added</b>	
<b>Interest holder mailing address</b>	
<b>Judgment Roll reference</b>	

**Certificate of Legal Effect:**

I certify that , in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,

\_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_



**Form 8**

**Purpose: to give notice to a registered owner that a benefit, burden or an overriding interest has been added to the parcel register**

<b>PID</b>	
<b>PID</b>	

*(Expand box for additional PIDs.)*

**Take notice that** pursuant to the *Land Registration Act* and the *Land Registration Administration Regulations*, the following interest has been added to the parcel register(s) of the above-noted PID(s).

Type of interest added to the parcel register:	
Name of interest holder added:	
Servient tenement PID <i>(if applicable)</i> :	
Mailing address of interest holder:	
Document recording particulars:	

A copy of the document which was recorded to add the interest, is attached to this notice.

**And take notice that** the parcel description for the above-noted PIDs has or will be altered in accordance with the *Land Registration Administration Regulations* to reflect the addition of the interest to the parcel(s) register.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
\_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

*Name:*

\_\_\_\_\_

*Address:*

\_\_\_\_\_

*Phone:*

\_\_\_\_\_

*E-mail:*

\_\_\_\_\_

*Fax:*

\_\_\_\_\_

**Form 8A**

*Purpose: to give notice to a land owner under the Registry Act*

*(Note: Form 8A must be attached to a Form 44)*

**(Instrument code: 407)**

For Office Use

Registration district: \_\_\_\_\_  
Submitter's user number: \_\_\_\_\_  
Submitter's name: \_\_\_\_\_

**Take notice that** the records under the *Registry Act* show

\_\_\_\_\_ *(insert owner's name from the consolidated index)*

to be the owner(s) of lands which are affected by the recording of a benefit or burden against a parcel registered under the *Land Registration Act*, in the manner indicated on this form.

*(Select appropriate option)*

- Take notice that** lands owned by the above-noted person(s) appear to benefit from the addition of a burden to the following parcel(s) that are registered under the *Land Registration Act* (box can be expanded for additional PIDs):

PID	
PID	
Interest holder name and type added to registered parcel	

**-or-**

- **Take notice that** lands owned by the above-noted person(s) appear to be burdened by the addition of a benefit to the following parcel(s) that are registered under the *Land Registration Act* (box can be expanded for additional PIDs):

<b>PID</b>	
<b>PID</b>	
Interest holder name and type added to registered parcel	

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,

\_\_\_\_\_, 2 \_\_\_\_\_.

---

*Signature of authorized lawyer*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

**Form 9**

*Purpose: to give notice of parcel registration to interested parties*

To: *Name*  
*Address*

**Take notice** that the lands located at (*insert civic address of the parcel(s)*) \_\_\_\_\_

known as (*insert PID(s)*) \_\_\_\_\_, has/have been registered under the *Land Registration Act*. A copy of the legal description and parcel graphics from *Property Online* for the registered parcel(s) are attached to this notice (*attach legal description and POL graphics for parcel(s)*)

**You are receiving notice of the registration because** your property interests may be affected by the registration, in particular (*state reason clearly in layman's terms*)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Delete the following paragraph, if not applicable)*

**If you believe that you may have an interest in the above lands , through occupation or usage, then you may have to take action to preserve your rights, within the ten year time limit set out in subsection 74(2) of the *Land Registration Act*.**

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of

Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

## Form 10

*Purpose: To give notice of crystallization of debenture*

**(Instrument code: 809)**

For Office Use

Registration district: \_\_\_\_\_

Submitter's user  
number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

**In the matter of** Parcel Identification Number (PID)

PID	
PID	

*(Expand box for additional PIDs: **Maximum 9 PIDs per form.**)*

*(Select one)*

- Floating charge debenture is recorded in the parcel register(s) as:  
document number \_\_\_\_\_ book/page \_\_\_\_\_ year \_\_\_\_\_.
- Floating charge debenture is not recorded in the parcel register and particulars are as follows.

**Floating Charge Debenture particulars** *(use only if second box was selected above)*

Instrument type	Floating Charge Debenture
<b>Interest holder name and type</b> <i>(to be added if debenture is registered or recorded, but not in the specified parcel register(s))</i>	
<b>Mailing address of interest holder added</b> (if applicable)	
<b>Reference to recording particulars of debenture under the Registry Act</b>	

**Crystallization particulars** (*required whether debenture is recorded in the parcel register or not*)

<b>Instrument type</b>	Notice of Crystallization of Debenture
<b>Interest holder name and type to be added</b> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Mailing address of interest holder added</b>	
<b>Reference to recording particulars of debenture being crystallized</b>	

**Notice is hereby given that** the floating charge contained in the specified debenture has been crystallized.

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of

Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of interest holder/agent*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

**Form 15**

*Purpose: to give notice to the registrar to cancel the recording of a security interest*

**(Instrument code: 831)**

For Office Use

Registration district: \_\_\_\_\_  
Submitter's user number: \_\_\_\_\_  
Submitter's name: \_\_\_\_\_



**In the matter of** Parcel Identification Number (PID)

PID	
PID	

*(Expand box for additional PIDs Maximum 9 PIDs per form.)*

**Take notice that** *(select one)*

- the debtor named in the security interest, particulars of which are set out on this form (“the security interest”)
- a person who has or had a registered interest in the above-noted PID(s) to which the security interest purportedly relates

has served notice on the holder(s) of the security interest to discharge or amend the interest in so far as it relates to the above-noted PID(s).

**And further take notice that** the following documentation is attached to this form:

- (a) a statutory declaration that outlines the reasonable and probable grounds that were used as a basis for the demand to amend or cancel the recording of the security interest;
- (b) a copy of the written demand on the holder(s) of the security interest which clearly sets out the obligations under Section 60 of the *Land Registration Act* requiring the interest holder(s) to take action to continue the recording of the interest;
- (c) proof of service of the demand in accordance with Section 60 of the *Land Registration Act*.

**And further take notice that** 30 days have passed since the service of the demand upon the holder(s) of the security interest and there has been no compliance with the demand.

**Therefore** the undersigned requires the registrar to cancel the security interest as instructed on this form:

<b>Instrument type</b>	
<b>Interest holder and type to be removed</b> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Reference to related instrument in parcel register</b> <i>(insert document/instrument number/year; include book/page if applicable)</i>	

**Certificate of Legal Effect:**

I certify that , in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
\_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_



**Form 15A**

*Purpose: to give the registrar notice to cancel a recorded interest or judgment*

**(Instrument code: 841)**

For Office Use

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_



**In the matter of** Parcel Identification Number (PID)

PID	
PID	

*(Expand box for additional PIDs : Maximum 9 PIDs per form.)*

**Take notice that** the registered owner(s) of the above-noted PID(s) request(s) the Registrar General to cancel the recording of the recorded interest or judgment, particulars of which are set out below, in accordance with Section 63 of the *Land Registration Act*.

**And further take notice that** the following documentation is attached to this form:

- (a) an affidavit outlining the basis for the owner's objection to the recorded interest or judgment and the reason why the recorded interest or judgment should be cancelled;
- (b) a copy of the notice requiring cancellation of the recorded interest or judgment which clearly sets out the obligations under Section 63 of the *Land Registration Act* requiring the interest holder(s) to take action to substantiate the interest;;
- (c) proof of service of the notice on all parties as required in Section 63 of the *Land Registration Act*.

**And further take notice that:**

Sixty days has expired after the service of the notice on the holder of the interest and, where the interest is a servitude, on the owner of every parcel identified in the recorded document as land to which the benefit of the servitude is annexed; and

No certificate of *lis pendens* has been recorded by any person certifying that proceedings in court have been commenced to substantiate the recorded interest; and

The person who caused the notice to be served is the registered owner of the parcel against which the recording to be cancelled was recorded.

<b>Instrument type</b>	
<b>Interest holder and type to be removed</b> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Reference to related instrument in parcel register</b> <i>(insert document/instrument number/year; include book/page if applicable)</i>	

**Certificate of Legal Effect:**

I certify that , in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
\_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

\_\_\_\_\_

**Form 16**

*Purpose: to renew the recording of a judgment*

*Note: Renewal must be recorded prior to the expiration of five years from the date of the judgment or the date of the recording of the most recent renewal of the judgment.*

- (Instrument code: 715 - First renewal)**
- (Instrument code: 716 - Second renewal)**
- (Instrument code: 717 - Final renewal)**

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

For Office Use

**In the matter of the judgment debtor** *(insert name as stated on judgment)*  
\_\_\_\_\_;

**And in the matter of the judgment creditor** *(insert name as stated on judgment and current mailing address)* \_\_\_\_\_;

**Take notice that** the undersigned judgment creditor/agent of judgment creditor requests that the above-noted judgment be renewed as follows *(select one)*:

**First Renewal**  
 Judgment number \_\_\_\_\_ issued by the Court on *(insert date)*  
 \_\_\_\_\_ and first recorded on *(insert date)* \_\_\_\_\_ as  
 document *(insert document/instrument number/year; include book/page if applicable)*  
 \_\_\_\_\_

**Second Renewal** \_\_\_\_\_  
*(insert document number of first renewal)*

**Third Renewal** \_\_\_\_\_  
*(insert document number of second renewal)*

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
\_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Witness (*Barrister/Commissioner*)

\_\_\_\_\_  
*Authorized signature of judgment creditor/agent*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

**Certificate of Commissioner:**

I certify that on \_\_\_\_\_, 2\_\_\_\_\_, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

\_\_\_\_\_  
A Barrister/Commissioner of the Supreme Court of Nova Scotia  
(Insert stamp of name or print name legibly below signature)

## Form 19

***Purpose: to record a Certificate of Lis Pendens against a parcel registered under the Land Registration Act***

**(Instrument code: 826)**

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

For Office Use

**In the matter of** Parcel Identification Number (PID)

PID	
PID	

*(Expand box for additional PIDs. Maximum of 9 PIDs per form.)*

**And in the matter of** registered owner \_\_\_\_\_:

**Take notice** that an action was commenced in the Supreme Court of Nova Scotia on \_\_\_\_\_, 2\_\_\_\_, between:

Plaintiff: \_\_\_\_\_

-and-

Defendant: \_\_\_\_\_

Court file no.: \_\_\_\_\_

Claim of builders' lien for \$ \_\_\_\_\_

*(For use when the pending action is with respect to a builders' lien) to enforce against the above-noted PIDs*

<b>Interest holder and type to be added</b> (Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable)	
<b>Mailing address of interest holder to be added</b>	

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of Prothonotary*

**Form 20**

*Purpose: to update the name and/or address of a judgment debtor*

**(Instrument code: 713)**

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

For Office Use

**In the matter of** Parcel Identification Number (PID)

PID	_____
PID	_____

**In the matter of** judgment debtor (*insert name*) \_\_\_\_\_;

**And in the matter of** an update of the name and/or address of the judgment debtor;

**And in the matter of** a certificate of judgment/renewal of judgment recorded in the judgment roll as document/instrument number (*insert document/instrument number/year; include book/page if applicable*) \_\_\_\_\_.

The judgment creditor requests that the following information be updated (*choose all options that apply*)

1. Update judgment debtor's name to \_\_\_\_\_
2. Update judgment debtor's address to \_\_\_\_\_
3. Update the above-noted parcel registers with this information.

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
*Signature of judgment creditor/agent*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

**Form 21**

*Purpose: to submit an interest holder's change of name or correction of misspelling of name; or to remove a deceased joint tenant as owner*

- (Instrument code: 109 - change of name)**
- (Instrument code: 126- correction of misspelling of name)**
- (Instrument code: 127- removal of deceased JT)**

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

For Office Use

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

*(Expand box for additional PIDs, Maximum 9 PIDs per form)*

**To the registrar** *(select applicable box):*

**Death of Joint Tenant**

- A joint tenant in the above-noted parcel register(s) is deceased and proof of death is attached. I hereby request that his/her name be removed as an owner of the above-noted PID,
- Change manner of tenure to \_\_\_\_\_ *(if applicable)*

**Name Change**

- The name of a registered interest holder has changed
- The name of a recorded interest holder has changed

As a result, I request that the parcel register information be updated for the following registered or recorded instruments:

*(insert document number/book and page number of current enabling instrument(s) that appears in the parcel register).*

**And take notice that** an affidavit outlining the particulars of the name change, and also, if applicable, the Order, certificate or document effecting the change of name is attached.

Dated at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

---

*Signature of registered owner/interest holder/agent*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**or**

**Correction of a Misspelling of Name** (*Note: This section must be completed and signed by an authorized lawyer*)

The name of a registered interest holder was misspelled as currently shown in the parcel register.

The name of a recorded interest holder was misspelled as currently shown in the parcel register.

As a result, I request that the parcel register information be corrected for the following registered or recorded instruments: (*insert document number/book and page number of current enabling instrument(s) that appears in the parcel register*).

An affidavit outlining the particulars of the misspelling and the proposed correction is attached.

**Certificate of Legal Effect**

I certify that , in my professional opinion, it is appropriate to make the corrections to the misspelling of the name in the parcel register(s) as instructed on this form.

Dated at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of

Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

---

*Signature of authorized lawyer*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_



**Form 22**  
**Purpose: Change of Address form**

**(Instrument code: 449)**

Registration district: \_\_\_\_\_  
Submitter's user number: \_\_\_\_\_  
Submitter's name: \_\_\_\_\_

**In the matter of** Parcel Identification Number (PID)

PID	
PID	

*(Expand box for additional PIDs.)*

**And in the matter of** document/instrument *(insert document/instrument number/year; include book/page if applicable)* *(for names-based roll—include all instruments affected by the change of address)*

\_\_\_\_\_;

**And/or in the matter of** *(select one and insert name)* the registered owner/a recorded interest holder

\_\_\_\_\_;

**Take notice that** *(select one)*

- I am the above-noted registered owner/agent.
- I am the occupier of the above-noted PID(s), which are owned by the Nova Scotia Farm Loan Board.
- I am the above-noted recorded interest holder/agent.

**And further take notice** that I have reviewed the address information contained in Property Online and hereby request that my address be changed as follows *(please print or type)*:

*New address:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**And further take notice** that this address change is to be applied to all tax notices and tax bills relating to the above-noted PID(s).

- Yes                       No

**And further take notice** that I understand that this address must be used to serve all notices and documents requiring service under the *Land Registration Act*.

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia,  
\_\_\_\_\_, 2\_\_\_\_\_.

---

*Signature of owner/interest holder/agent/occupier of Nova Scotia Farm Loan Board Parcel(s)*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

\_\_\_\_\_

**Form 24**

**Purpose: to change the registered interest, benefits or burdens**

**(Instrument code: 450)**

*(If change(s) requested relate(s) to one or more of the following and no other interests are being added or removed on this form: manner of tenure, description of manner of tenure, non-resident status, parcel access or NSFLB occupant. Note: This form cannot be used to correct an error in a parcel register).*

**(Instrument code: 451)**

*(Change to existing servient or dominant tenement PID number in a parcel register as a result of subdivision or consolidation. Note: This form cannot be used to correct an error in a parcel register)*

For Office Use

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

In the matter of Parcel Identification Number (PID)

PID	
PID	

*(Expand box for additional PIDs. Maximum 9 PIDs per form)*

The following additional forms are being submitted simultaneously with this form and relate to the attached document: (check appropriate boxes, if applicable)

- Form 24(s)
- Form 8A(s)

Additional information: *(check appropriate boxes, if applicable).*

- This Form 24 creates or is part of a subdivision or consolidation
- This Form 24 is a municipal or provincial street or road transfer
- This Form 24 is adding a corresponding benefit or burden as a result of an AFR of another parcel.

**Power of attorney** (*Note: completion of this section is mandatory*)

- The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is:
  - recorded in the attorney roll
  - recorded in the parcel register
  - incorporated in the document

OR

- No power of attorney applies to this document

This form is submitted to make the changes to the registered interests, or benefits or burdens, and other related information, in the above-noted parcel register(s), as set out below.

The registered interests and related information are to be changed as follows:

<b>Instrument type</b>	
<b>Interest holder and type to be removed</b> (if applicable)	
<b>Interest holder and type to be added</b> (if applicable) <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Mailing address of interest holder to be added</b> (if applicable)	
<b>Manner of tenure to be removed</b> (if applicable)	
<b>Manner of tenure to be added</b> (if applicable)	
<b>Description of mixture of tenants in common and joint tenancy</b> (if applicable)	
<b>Access type to be removed</b> (if applicable)	
<b>Access type to be added</b> (if applicable)	
<b>Percentage or share of interest held</b> (for use with tenant in common interests)	
<b>Non-resident</b> (to qualified solicitor's information and belief) (Yes/No?)	
<b>Reference to related instrument in parcel register</b> (if applicable)	

<b>Reason for removal of interest</b> <i>(for use only when interest is being removed by operation of law and no document is attached)</i> <b>Instrument code: 443</b>	
---	--

The following tenant in common interests that appear in the section of the parcel register(s) labelled “Tenants in Common not registered pursuant to the *Land Registration Act*” are to be removed because the interests are being registered *(insert names to be removed)*:

---



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---

I have searched the judgment roll with respect to this revision of the registered interest and have determined that it is appropriate to add the following judgment(s) or judgment-related documents to the parcel register, in accordance with the *Land Registration Act* and *Land Registration Administration Regulations*:

<b>Instrument type</b>	
<b>Interest holder name and type to be added</b>	
<b>Interest holder mailing address</b>	
<b>Judgment Roll reference</b>	

The following benefits are to be added and/or removed in the parcel register(s):  
*(Note: An amending PDCA is required if the changes being made to the benefit section are not currently reflected in the description in the parcel register).*

<b>Instrument type</b>	
<b>Interest holder and type to be removed</b> <i>(if applicable)</i>	
<b>Interest holder and type to be added</b> <i>(if applicable)</i> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) (if applicable)</i>	
<b>Mailing address of interest holder to be added</b> <i>(if applicable)</i>	
<b>Servient tenement parcel(s)</b> <i>(list all affected PIDs):</i>	
<b>Reference to related instrument in names-based roll/parcel register</b> <i>(if applicable)</i>	

<b>Reason for removal of interest</b> <i>(for use only when interest is being removed by operation of law)</i> <b>Instrument code: 443</b>	
---	--

The following burdens are to be added and/or removed in the parcel register(s):  
*(Note: An amending PDCA is required if the changes being made to the burden section are not currently reflected in the description in the parcel register).*

<b>Instrument type</b>	
<b>Interest holder and type to be removed</b> <i>(if applicable)</i>	
<b>Interest holder and type to be added</b> <i>(if applicable)</i> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) (if applicable)</i>	
<b>Mailing address of interest holder to be added</b> <i>(if applicable)</i>	
<b>Reference to related instrument in names-based roll/parcel register</b> <i>(if applicable)</i>	
<b>Reason for removal of interest</b> <i>(for use only when interest is being removed by operation of law)</i> <b>Instrument code: 443</b>	

The following recorded interests are to be added and/or removed in the parcel register:

<b>Instrument type</b>	
<b>Interest holder and type to be removed</b> <i>(if applicable)</i>	
<b>Interest holder and type to be added</b> <i>(if applicable)</i> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) (if applicable)</i>	
<b>Mailing address of interest holder to be added</b> <i>(if applicable)</i>	
<b>Reference to related instrument in names-based roll/parcel register</b> <i>(if applicable)</i>	
<b>Reason for removal of interest</b> <i>(for use only when interest is being removed by operation of law)</i> <b>Instrument code: 443</b>	

The textual qualifications are to be changed as follows:

<b>Textual qualification on title to be removed</b> <i>(insert any existing textual description being changed, added to or altered in any way)</i>	
<b>Textual qualification on title to be added</b> <i>(insert replacement textual qualification)</i>	

<b>Reason for change to textual qualification</b> <i>(for use only when no document is attached)</i> <b>Instrument code: 838</b>	
---	--

The following information about the occupier of the parcel, which is owned by the Nova Scotia Farm Loan Board, is to be changed:

<b>Name and mailing address of occupier to be removed</b>	
<b>Name and mailing address of occupier to be added</b>	

**Certificate of Legal Effect:**

I certify that , in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, on \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

## Form 26

**Purpose: to record an interest in a parcel; or  
to record a power of attorney in the power of attorney roll**

For Office Use

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

**In the matter of** Parcel Identification Number (PID)

PID	
PID	

*(Expand box for additional PIDs. Maximum 9 PIDs per form.)*

**Power of attorney** *(Note: completion of this section is mandatory)*

- The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is:
  - recorded in the attorney roll
  - recorded in the parcel register
  - incorporated in the document

OR

- No power of attorney applies to this document

This form is submitted to record the attached document *(select applicable box):*

- in the parcel register as a recorded interest
- in the power of attorney roll
- in the power of attorney roll as a duplication of a power of attorney registered under the *Registry Act*

The following information relates to the interest being recorded:

<b>Instrument type</b>	
<b>Expiry date</b> <i>(if applicable)</i>	
<b>Interest holder and type to be added</b> <i>(if applicable) Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	



<b>Mailing address of interest holder to be added</b> <i>(for power of attorney, provide mailing address for donee)</i>	
<b>Name and mailing address power of attorney donor to be added</b> <i>(if applicable)</i>	
<b>Name and mailing address power of attorney donee to be added</b> <i>(if applicable)</i>	
<b>Reference to related instrument in names-based roll/parcel register</b> <i>(if applicable) (for power of attorney to be duplicated, insert document/instrument number/year; include book/page if applicable)</i>	

The textual qualifications in the above-noted parcel register(s) are to be changed as follows:

<b>Textual qualification on title to be removed</b> <i>(insert any existing textual description being changed, added to or altered in any way)</i>	
<b>Textual qualification on title to be added</b> <i>(insert replacement textual qualification)</i>	

**Certificate of Legal Effect:**

I certify that , in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
E-mail: \_\_\_\_\_  
Fax: \_\_\_\_\_

- This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

**Form 26L**

*Purpose: for a lender to record their interest in a parcel register or their power of attorney in the power of attorney roll*

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

For Office Use

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

*(Expand box for additional PIDs. Maximum 9 PIDs per form.)*

This form is submitted to record the attached document *(select applicable box):*

- in the parcel register as a recorded interest
- in the power of attorney roll
- in the power of attorney roll as a duplication of a power of attorney registered under the *Registry Act*

The following information relates to the interest being recorded:

<b>Instrument type</b>	
<b>Expiry date</b> (if applicable)	
<b>Interest holder and type to be added</b> (if applicable) <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Mailing address of interest holder to be added</b> <i>(for power of attorney, provide mailing address for donee)</i>	
<b>Name and mailing address of power of attorney donor to be added</b> (if applicable)	
<b>Name and mailing address of power of attorney donee to be added</b> (if applicable)	

**Reference to related instrument in names-based roll/parcel register** (if applicable) *(for power of attorney to be duplicated, insert document/instrument number/year; include book/page if applicable)*

**Power of attorney** *(Note: completion of this section is mandatory)*

- The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is:
  - recorded in the attorney roll
  - recorded in the parcel register
  - incorporated in the document

OR

- No power of attorney applies to this document

**Priority of interest:** *(Note: completion of this section is mandatory)*

If the security interest being recorded with this form is being submitted by a lender which currently has a security interest recorded in the parcel register of the above-noted PID(s), the lender must select one of the following boxes to indicate the intended priority of the attached security interest in relation to the lender's other security interests showing in the parcel register(s) at the time of recording:

- first charge
- second charge
- third charge
- other (specify priority)\_\_\_\_\_

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of

Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of lender or authorized agent*  
*Name:* \_\_\_\_\_  
*Address:* \_\_\_\_\_  
*Phone:* \_\_\_\_\_  
*E-mail:* \_\_\_\_\_  
*Fax:* \_\_\_\_\_

- This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

**Form 26N**

**Purpose: to record Form 9 and written directives in a parcel register**

**(Instrument Code: 858)**

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

**Take notice that** the attached document(s) relate(s) to the following parcel(s) registered under the *Land Registration Act*

PID	
PID	

For Office Use

*(Expand box for additional PIDs.)*

This form is submitted to record the following documents:(*select all applicable boxes*) :

- Form 9
- proof of service
- written directives from the Registrar General
- other (*specify*)\_\_\_\_\_

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova

Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

**Form 27**

*Purpose: to request cancellation of a recorded interest*

For Office Use

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

*(Expand box for additional PIDs. Maximum 9 PIDs per form.)*

**Power of attorney** *(Note: completion of this section is mandatory)*

- The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is:
  - recorded in the attorney roll
  - recorded in the parcel register
  - incorporated in the document

OR

- No power of attorney applies to this document

This form is submitted to record the attached document and to cancel the following recorded interests in the above-noted parcel register(s):

<b>Instrument type</b>	
<b>Interest holder and type to be removed (if applicable)</b> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Reference to related instrument in parcel register</b> <i>(insert document/instrument number/year; include book/page) (this is a mandatory field for this form)</i>	

The following textual qualifications in the above-noted parcel register(s) are to be changed as follows:

<b>Textual qualification on title to be removed</b> <i>(insert any existing textual description being changed, added to or altered in any way)</i>	
--	--

<i>Textual qualification on title to be added (insert replacement textual qualification)</i>	
--	--

- The party releasing the interest on the attached document is a successor company or organization to the interest holder that currently appears in the parcel register and the document relating to this name change or amalgamation has been previously registered or recorded.**

**Certificate of Legal Effect:**

I certify that , in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

- This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

**Form 27L**

***Purpose: for a lender to request a cancellation of their recorded interest in a parcel register or record a revocation of their power of attorney in the power of attorney roll***

For Office Use

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

**In the matter of Parcel Identification Number (PID)**

<i>PID</i>	
<i>PID</i>	

*(Expand box for additional PIDs. Maximum 9 PIDs per form.)*

**Power of attorney** *(Note: completion of this section is mandatory)*

- The attached document is signed by attorney for a person under a power of attorney, and the power of attorney is:
  - recorded in the attorney roll
  - recorded in the parcel register
  - incorporated in the document

OR

- No power of attorney applies to this document

This form is submitted to record the attached document and to cancel the following recorded interest in the above-noted parcel register(s):

<b>Instrument type</b>	
<b>Interest holder and type to be removed (if applicable)</b> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Reference to related instrument in parcel register</b> <i>(insert document/instrument number/year; include book/page) (this is a mandatory field for this form)</i>	

- The party releasing the interest on the attached document is a successor company or organization to the interest holder that currently appears in the parcel register and the document relating to this name change or amalgamation has been previously registered or recorded.**

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

---

*Signature of lender or authorized lender*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

- This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.



**Form 28**

*Purpose: to record certain types of non-enabling documents in a parcel register*

For Office Use

Registration district: \_\_\_\_\_

Submitter's user no.: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

The attached plan/document relates to the following parcels registered under the *Land Registration Act*

PID	
PID	

[Large dashed box for office use]

*(Expand box for additional PIDs.)*

**Municipal file number or land registration file number** *(insert file number used when PIDs were originally assigned during pre-approval):* \_\_\_\_\_

This form is submitted to record the following non-enabling instrument in the above-noted parcel register(s) *(select one)* :

- plan
- boundary line agreement
- instrument of subdivision
- statutory declaration regarding de facto consolidation
- condominium declaration
- initial condominium bylaws
- condominium plan
- repeal of subdivision
- termination of condominium
- other *(specify)* \_\_\_\_\_

**And in the matter of** registered owner *(insert name)* \_\_\_\_\_:

**Note:** *An amending Parcel Description Certification Application may be required.*

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of applicant/municipal official/owner/agent*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

**Form 45**

**Purpose: to add, confirm, delete and correct, the interests, textual qualifications or parcel access type in the parcel register(s)**

*Note: If there are inherited interest flags in the parcel register, a Form 45 is required to be recorded before the registered interest can be changed. The form must be completed, even if only to confirm that no changes are to be made.*

**(Instrument code: 836 )**

Registration district: \_\_\_\_\_  
Submitter's user number: \_\_\_\_\_  
Submitter's name: \_\_\_\_\_

For Office Use

**In the matter of Parcel Identification Number (PID)**

<b>PID</b>	
<b>PID</b>	

*(Expand box for additional PIDs. Maximum 9 PIDs per form)*

**1. Parcel access type** *(choose applicable box)*

*(direct or indirect right of access to the parcel, if any, from a public street, highway or navigable waterway to the parcel appearing on the face of the record)*

The parcel access type as currently shown in the parcel register is correct.

OR

The parcel access type as currently shown must be added or changed to:

- |  |  |
|--|--|
| <input type="checkbox"/> public                    | <input type="checkbox"/> private (openly used and enjoyed) |
| <input type="checkbox"/> no access                 | <input type="checkbox"/> private (other)                   |
| <input type="checkbox"/> public (other)            | <input type="checkbox"/> right of way/driveway             |
| <input type="checkbox"/> private                   | <input type="checkbox"/> right of way/walkway              |
| <input type="checkbox"/> private (by grant)        | <input type="checkbox"/> navigable waterway                |
| <input type="checkbox"/> private (by prescription) | <input type="checkbox"/> other <i>(must include TQ)</i>    |

2. The following interests or entries that were placed in the parcel register(s) for the above-noted PID(s) on subdivision are **to be removed** from the parcel register(s)(select all that apply):

<b>Interest holder and type</b>	
<b>Enabling Instrument Reference</b> ( <i>insert book and page or instrument number, as applicable</i> ):	
<b>Textual Qualification</b>	

**3. All other interests or entries, including textual qualifications, are to remain in the parcel register(s).**

**Certificate of Legal Effect:**

I certify that , in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

**Note:** An amending Parcel Description Certification Application is required if benefits or burdens are being removed.

**Form 46**

**Purpose: To record a judgment in the judgment roll by recording a Certificate of Judgment executed by the prothonotary**

**(Instrument code: 707)**

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

For Office Use

Court file #	_____
Name of court	_____
	_____

*(Insert title of proceeding/style of cause.)*

**Judgment creditor information**

**Name** (must include first and last name; must include middle name or initial if available):

(first) \_\_\_\_\_ (middle) \_\_\_\_\_ (last) \_\_\_\_\_

**-Or-**

**Company name:** \_\_\_\_\_

**Address** (must include a valid Canada Post mailing address where judgment creditor can be served, and must include the civic address if available):

<b>Mailing address:</b>				
	PO Box:	_____	Town	_____
	Province	_____		Postal Code
<b>Civic address: (if different from mailing address)</b>	Street name and number		_____	
	Town	_____	Province	_____

**Name of lawyer** (must be included if the creditor is/was represented): \_\_\_\_\_

**Other information** (must include at least one other piece of information that tends to distinguish the judgment creditor from all others): \_\_\_\_\_

**Judgment debtor information**

**Name** (must include first and last name; must include middle name or initial if available):

(first) \_\_\_\_\_ (middle) \_\_\_\_\_ (last) \_\_\_\_\_

**-Or-**

**Company name:** \_\_\_\_\_

**Address** (must include a valid Canada Post mailing address where judgment debtor can be served, and must include the civic address if available):

<b>Mailing address:</b>	<i>PO Box:</i>		<i>Town</i>	
	<i>Province</i>			<i>Postal Code</i>
<b>Civic address: (if different from mailing address)</b>	<i>Street name and number</i>			
	<i>Town</i>		<i>Province</i>	

**Name of lawyer (must be included if the debtor is/was represented):**

**Other information (must include at least one other piece of information that tends to distinguish the judgment debtor from all others):** \_\_\_\_\_

<b>Debt</b>	
<b>Interest</b>	
<b>Costs</b>	
<b>Judgment</b>	

**I hereby certify** that judgment has been entered in the above-noted action for the (select one and insert name of judgment creditor) plaintiff/defendant \_\_\_\_\_, against the (select one and insert name of judgment debtor) plaintiff/defendant \_\_\_\_\_, for (insert amount of debt) \$\_\_\_\_\_ and pre-judgment interest of \$\_\_\_\_\_ and \$\_\_\_\_\_ costs of suit; amounting in all to \$\_\_\_\_\_.

**I further certify** that the foregoing is a true abstract of the original judgment in the above-noted action, entered in the records of the court at \_\_\_\_\_, which judgment was duly signed on \_\_\_\_\_, 2\_\_\_\_\_.

**Given under seal of the Court at** \_\_\_\_\_ **on** \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Signature of (Deputy) Prothonotary

(Insert name, address and contact information for lawyer/individual recording the judgment.)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

**Form 47**

**Purpose: To cancel the recording of a judgment in the judgment roll by recording a certificate of satisfaction executed by the prothonotary**

**(Instrument code: 709)**

For Office Use

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

**In the matter of :**

the judgment debtor(s) \_\_\_\_\_;

the judgment creditor \_\_\_\_\_;

the following judgment:

**Reference of Judgment Recorded:**

Book & Page #	Document #:	Registration Year:	Other Information

**Take notice that** the undersigned hereby requests that the registrar cancel the recording of the interest as identified in the attached certificate of satisfaction and as set out below:

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
*Signature of interest holder/agent/ judgment debtor/ owner*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

Court file # \_\_\_\_\_

Name of court: \_\_\_\_\_

\_\_\_\_\_  
*(Insert title of proceeding/style of cause.)*

### **Certificate of Satisfaction**

**I hereby certify** that the judgment in the above action, signed on \_\_\_\_\_, 2 \_\_\_\_, for *(enter judgment amount)* \_\_\_\_\_, all inclusive of debts and costs, was fully satisfied by the judgment debtor on \_\_\_\_\_, 2 \_\_\_\_.

**Certified** under the seal of the Court at \_\_\_\_\_, Nova Scotia, on \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
Signature of (Deputy) Prothonotary

Return to:

*(Insert name and mailing address lawyer/individual requesting certificate.)*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Fax: \_\_\_\_\_

*Note: If judgment that is being removed also appears in a parcel register for any PID, it will automatically be removed from that PID's register by the system, by the next business day.*

**Form 48**

*Purpose: To record in the judgment roll, a full or partial release of judgment signed by the judgment creditor*

For Office Use

(Instrument code: 709 - Full release )

(Instrument code: 710- Partial release )

Registration district: \_\_\_\_\_

Submitter's user number: \_\_\_\_\_

Submitter's name: \_\_\_\_\_

**In the matter of** the judgment that is recorded in the roll as follows:

<i>(Insert Book/page and document/year reference of judgment)</i>	
<i>The judgment creditor(s) (insert name(s) of all judgment creditors)</i>	
<i>The judgment debtor(s)(insert name(s) of all judgment debtors)</i>	

The attached document is (*check one*):

- a full release of the judgment by the creditor(s) against ALL judgment debtor(s); or
- a partial release of the judgment

**Note: if the effect of the partial release is to remove properties from the effect of the judgment, then a Schedule "A" containing a full legal description of each property released, must be attached to this form.**

**Take notice that** the undersigned hereby requests that the registrar record the release/partial release in the judgment roll.

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
*Signature of interest holder/agent*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_



Fax: \_\_\_\_\_

Court File # \_\_\_\_\_  
Name of Court: \_\_\_\_\_

(Insert title of proceeding/style of cause.)

(select one) Full/Partial Release of Judgment

The judgment creditor hereby releases the following judgment debtor(s) named (insert the name(s) of all of the judgment debtors who are being released from the judgment) \_\_\_\_\_ from the judgment that was entered against the judgment debtor(s) on \_\_\_\_\_, 2\_\_\_\_, and recorded at the Registry of Deeds Office/Land Registration Office in \_\_\_\_\_, Nova Scotia, in (insert document/instrument number/year; include book/page if applicable) \_\_\_\_\_.

Dated at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Witness (Barrister/Commissioner)*

\_\_\_\_\_  
*Signature of judgment creditor (or assignee) or agent*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

Certificate of Commissioner:

I certify that on \_\_\_\_\_, 2\_\_\_\_\_, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

\_\_\_\_\_  
A Barrister/Commissioner of the Supreme Court of Nova Scotia  
(Insert stamp of name or print name legibly.)

*Note: If a full release of judgment (code 709) is submitted, then the judgment will be removed from the judgment roll and the applicable parcel register(s) by the Land Registration Office. If a partial release is submitted, it will be recorded in the judgment roll, but will not act to remove the judgment from the roll or the parcel register(s).*

**Form 48A**

**Purpose: To cancel the recording of a judgment in a parcel register with a certificate of legal effect**

*Note: This form acts to remove the judgment and/or judgment related interest from the specified parcel register(s) only. Judgments are removed from the judgment roll only on the recording of a full discharge of judgment or on expiry. This form cannot be used for cancellations as a result of a full discharge, expiry or by operation of law.*

**(Instrument code: 728)**

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

For Office Use

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

*(Expand box for additional PIDs. Maximum 9 PIDs per form)*

- This form is submitted to remove the following judgments or judgment-related documents from the above-noted parcel register(s), based on the effect of the attached document(s):

<b>Instrument type of document attached</b>	
<b>Interest holder and type to be removed</b>	
<b>Instrument reference</b> <i>(insert book and page or instrument number of enabling instrument being removed)</i>	

**Certificate of Legal Effect:**

I certify that , in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Signature of authorized lawyer*

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

**Form 48B**

**Purpose: To record a judgment-related document (documents other than judgments or partial or full discharges) in the judgment roll and parcel register, if applicable**

For Office Use

Registration district: \_\_\_\_\_  
Submitter's user number: \_\_\_\_\_  
Submitter's name: \_\_\_\_\_

**1. Recording in the judgment roll (selection of one box is mandatory):**

**I request that the document indicated below, which is attached to this form, be recorded in the judgment roll:**

- statutory declaration respecting judgments;
- assignment of judgment;
- postponement of judgment;
- partial release of judgment;
- judgment amendment;
- order for judgment;
- order to set aside judgment;
- assignment of bankruptcy;
- discharge of bankruptcy ;

**2. Recording in parcel register - if applicable**

**- only permitted for the following options, and only if the relevant judgment to be amended, assigned, or postponed currently appears in the parcel register(s):**

**I request that the document indicated below, which is attached to this form, be recorded in the parcel register(s), of the properties registered under the Land Registration Act indicated below:**

- assignment of judgment;
- judgment amendment;
- postponement of judgment;

PID	
PID	

*(Expand box for additional PIDs. Maximum 9 PIDs per form)*

*(Following section must be completed if recording in the parcel register is requested:*

<b>Instrument type</b>	
------------------------	--

<b>Interest holder name and type to be added</b>	
<b>Interest holder name and type to be changed</b> <i>(used only for assignment of judgment to change current judgment creditor to "Interest Assigned")</i>	
<b>Mailing Address of interest holder added</b>	
<b>Instrument reference</b> <i>(insert book and page or document number of the affected judgment)</i> <i>Note: postponement of judgment requires the recording particulars of the judgment affected as well as the document being given priority</i>	

**Dated at** \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

---

*Signature of submitter*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

**Form 49**

**Purpose: to correct a recording or cancellation of recording which were submitted without a certificate of legal effect**

**(Instrument code: 822)**

For Office Use

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_



**In the matter of** Parcel Identification Number (PID)

PID	
PID	

*(Expand box for additional PIDs. Maximum of 9 PIDs per form.)*

**Take notice that** *(select one)*

- A Form 26 request to record an interest was made in error or contains an error;
- A Form 27 request to cancel the recording of an interest was made in error or contains an error;

Explain Error *(it is mandatory to complete this field):*

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**And further take notice that** the undersigned interest holder hereby requests that the registrar correct the parcel register in accordance with the information set out below:

<b>Instrument type</b>	
<b>Expiry date <i>(if applicable)</i></b>	
<b>Interest holder and type to be removed <i>(if applicable)</i></b>	
<b>Interest holder and type to be added <i>(if applicable)</i></b> <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Mailing address of interest holder to be added <i>(if applicable)</i></b>	

<b>Reference to related instrument in names-based roll/parcel register</b> <i>(if applicable) (insert document/instrument number/year; include book/page if applicable)</i>	
---	--

**Certificate of Legal Effect:**

I certify that , in my professional opinion, it is appropriate to make the changes to the parcel register(s) as instructed on this form.

**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova

Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

---

*Signature of authorized lawyer*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

---

Note: If the document contained an error or an interest has been added to an incorrect PID and is being removed with this Form 49, the corrected document must be attached to this Form 49.

## Form 50

**Purpose: To update a parcel register respecting the transfer (for no value) of a tenant in common interest which is not registered under the Land Registration Act**

(Note: Form 50 must be attached to a Form 44 and is registered under the Registry Act)

Registration district: \_\_\_\_\_  
 Submitter's user number: \_\_\_\_\_  
 Submitter's name: \_\_\_\_\_

For Office Use

**In the matter of Parcel Identification Number (PID)**

PID	
PID	

(Expand box for additional PIDs. Maximum of 9 PIDs per form.)

**Take notice that** an unregistered tenant in common interest in the above-noted parcel(s) has been transferred for no value as shown on the attached *Municipal Government Act* Affidavit of Value;

**And further take notice that** the undersigned owner of the unregistered tenant in common interest hereby requests that the registrar update the parcel register(s) in accordance with the information set out below:

<b>Instrument type/code</b>	
<b>Expiry date</b> (if applicable)	
<b>Interest holder and type to be removed</b> (if applicable)	
<b>Interest holder and type to be added</b> (if applicable) <i>Note: include qualifier (e.g., estate of, executor, trustee, personal representative) if applicable</i>	
<b>Mailing address of interest holder to be added</b> (if applicable)	
<b>Reference to related instrument in names-based roll/parcel register</b> (if applicable) (insert document/instrument number/year; include book/page if applicable)	



**Dated** at \_\_\_\_\_, in the County of \_\_\_\_\_, Province of Nova Scotia, \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*Witness (Barrister/Commissioner)*

\_\_\_\_\_  
*Signature of owner of unregistered tenant in common interest or agent*

*Name:* \_\_\_\_\_

*Address:* \_\_\_\_\_

*Phone:* \_\_\_\_\_

*E-mail:* \_\_\_\_\_

*Fax:* \_\_\_\_\_

**Certificate of Commissioner:**

I certify that on \_\_\_\_\_, 2\_\_\_\_\_, the above-named individual executed the foregoing instrument in my presence and I signed as a witness to the execution.

\_\_\_\_\_  
*A Barrister/Commissioner of the Supreme Court of Nova Scotia  
(Insert stamp of name or print name legibly.)*