

*The government is providing a new guarantee of ownership to property owners and is changing how land records are stored and accessed. You need to know how the changes will affect you.*

A new land registration system that guarantees ownership to people buying, subdividing or mortgaging real estate in Nova Scotia is in the process of being implemented. The ownership guarantee, together with improved access to land-related information, will make real estate transactions easier for everyone. To receive the ownership guarantee, land owners need to convert their property into the new system. This is a one-time process for each property in Nova Scotia, involving certification of the legal description and the title of the property.

The new land registration system is being rolled out on a region-by-region basis. See the box below for the rollout date for each county.

### Rollout Dates by County

Annapolis County	Mar. 1, 2004
Antigonish County	Dec. 1, 2003
Cape Breton County	Mar. 1, 2005
Colchester County	Mar. 24, 2003
Cumberland County	Dec. 1, 2003
Digby County	Mar. 1, 2004
Guysborough County	Mar. 1, 2005
Halifax County	Dec. 1, 2004
Hants County	Mar. 1, 2004
Inverness County	Mar. 1, 2005
Kings County	Mar. 1, 2004
Lunenburg County	Mar. 1, 2005
Pictou County	Dec. 1, 2003
Queens County	Mar. 1, 2005
Richmond County	Mar. 1, 2005
Shelburne County	Mar. 1, 2005
Victoria County	Mar. 1, 2005
Yarmouth County	Mar. 1, 2005

After a property is converted to the new land registration system, real estate transactions related to that property should be less costly and proceed without delays related to the title search because the last historic search will have been completed. More complete land-related information will be accessible to citizens at Land Registration Offices across the province and will be available over the Internet to subscribers of *Property Online*, the government's online property information service.



Planning to buy, sell or mortgage real estate?

## Questions and answers about the one-time conversion process...

### When does my land get converted?

After the new land registration system is in place in a county, any parcel of land that is being sold, subdivided or mortgaged must be converted into the new system. As well, anyone who owns property in a designated county may voluntarily convert their property into the new system. If you are getting a mortgage, you may obtain one before your property is converted, however, the mortgage will not bind your property until your parcel is converted. For this reason your financial institution may require you to convert your property before it releases the mortgage funds. Please see your lender for details.

### How long does it take to convert my land?

The time required to convert a parcel will vary, depending on the complexity of your property's description and title. The government estimates that the steps required to prepare the electronic applications used to convert a parcel in ordinary circumstances take approximately two hours of time. Additional parcels that have the same title history usually take less than one extra hour of time to convert. The work required to convert a parcel is completed at the same time as the normal steps involved in completing a property transaction. Because your lawyer is certifying the state of the property's title to the Government, your lawyer will take as much time as is required to ensure that all of the information about the state of the title is completely accurate. This may add some time to the normal closing process. Anyone selling a property should allow one or two extra weeks in the agreement of purchase and sale. Since lenders are permitted to advance funds before conversion takes place if they wish, the conversion steps need not delay mortgage advances. Check with your lenders to discuss their policies on advancing funds prior to parcel conversion.

### Who can convert my property?

Authorized surveyors and lawyers can help you with the first step in conversion – getting your description certified. Authorized lawyers can also handle the property registration steps. To confirm that your lawyer or surveyor is authorized, call the toll free number listed below.

### Who pays to convert my property?

When a property is being mortgaged or if conversion is voluntary, the landowner pays the cost of converting a property into the new system. When land is being sold, either the seller or the buyer can convert the property. This should be decided as part of the sale negotiation.

### What does it cost to convert a property?

There are no government fees for converting a property. Lawyers or surveyors will charge a fee for their professional services related to the added one-time steps required to convert your property into the new system. Each lawyer and surveyor, not the government, determines fees for the added services. If you are using the services of a lawyer who has previously completed a title search on your property, there may be a savings. As with any service, it is important for consumers to ask in advance what those fees will be. Do not hesitate to ask your lawyer to review with you fees that will be charged for your transaction.

### Do I have to pay the conversion fee more than once?

The additional professional fees for conversion are paid only once for each property. Once a property has been converted into the new system, the costs for each subsequent property transaction related to that parcel should be reduced because there is no longer a requirement for a historic title search.

### When should I register my old deed?

If you have paid money or value for your property (not a gift) and if the deed to your property is not currently registered at the Registry of Deeds, it may be wise to register it before or right after the land registration system is implemented in the county where the land is located. If you wait more than 90 days after the new land registration system is implemented in your county, the registration of your deed will require you to convert your property into the new system and pay the associated one-time professional fees, even if you are not selling, mortgaging or subdividing the property.

### Do I need title insurance to convert my land?

When converting a property to the new land registration system, title insurance cannot replace the historic title search and the lawyer's opinion of title. The government provides a guarantee of ownership for properties certified in the new land registration system so private insurance is not required for this purpose. Title insurance can still be purchased for other purposes related to a property closing, such as replacing a tax or zoning certificate.

### Want to know more?

- Call our toll free help number at 1-866-518-4640
- Visit your local Land Registration Office/Registry of Deeds
- Check out our website at:  
[www.servicens.ca/property/landreg](http://www.servicens.ca/property/landreg)