

MEMORANDUM

TO: Clients - Land Registration Offices/Registries of Deeds

FROM: Peter Kittilsen - Director of Property Registration

DATE: December 20, 2004

RE: **Priority of Documents**

Land Registration Office (LRO)/Registry of Deeds (ROD) staff are committed to ensuring that documents are processed in the order received at the registry so that their priority is protected. We have recently completed a review of our front counter procedures to ensure that we are meeting this requirement. This review identified that some offices, during busy times, have been allowing clients to leave documents for registration without staff having completed the indexing process or having processed the payment and provided a receipt. Staff then have been indexing these documents when they had the time later in the day. This practice can result in a backlog of documents which are at the registry, have not been received (lodged) and which are, as a result, not searchable.

This practice has raised questions about the priority of documents being submitted for registration and recording, particularly in Halifax, where there are a large number of documents submitted each day. The following procedures are being implemented in the Halifax Land Registration Office to ensure that documents are being indexed in priority order and clients must follow these procedures commencing on January 4, 2004:

- A secure mailbox/drop off box is being placed in the front counter area for the purpose of depositing any documents that do not require immediate indexing for priority purposes.
- A queue for waiting clients is being established and an automatic numbering system is being installed so clients waiting to have documents indexed can be served in proper sequence.
- Clients waiting to have documents indexed on the same day must be in the queue prior to 4:00 p.m. on any business day. Any persons arriving after this time may either deposit their document in the drop-off box or return to the office the next day.
- Front-counter indexing of documents is being closely monitored to ensure that waiting time is not excessive and that clients are able to record their documents on the same day.
- Clients are asked to respect the LRO closing time of 4:30. Anyone wishing to submit a large number of documents for immediate processing should arrive sufficiently early to ensure that the documents can all be processed before 4:30 p.m.

The following guidelines explain the status of documents submitted by mail, courier, or in person to any Land Registration Offices and the process for ensuring priority where required. This policy applies to documents submitted to all LROs and RODs province-wide. Effective January 4, 2005, all clients submitting documents to the Land Registration Office/Registry of Deeds must follow the guidelines for document intake and processing set out below.

1. Time Sensitive Documents

If the priority of a document is critical and recording/registration is a priority, documents must be submitted in person or by courier and the person bringing the documents to the registry must wait for the documents to be processed and a receipt to be provided.

Documents are considered received by, or lodged at, the LRO or ROD only when they have been indexed by staff. These documents will be processed in the order received by staff and the receipt will provide proof of indexing and priority.

2. Documents other than Applications for Registration (AFR)

Each LRO and ROD has a clearly marked “mail box” or drop-off spot for documents (other than AFR bundles) that are dropped off for later processing. All documents dropped off by a courier/client for later processing or sent by mail are not considered received by, or lodged with, the registry until staff index the documents. The drop-off boxes will be emptied at the beginning of each day and the documents processed during the day as time permits. Documents left in the drop-off box will not be registered in any particular order.

3. AFRs and AFR Bundles

The priority of draft AFRs is maintained by the electronic queue when the draft AFRs are submitted.

AFR bundles must be separated from other documents prior to being dropped off for recording or registration and should be placed in a separate envelope, clearly labelled as AFR bundles. Each Land Registration Office has set up a dedicated AFR bundle drop-off location. Staff will date stamp each envelope and will process the AFR bundles within a few business days.

Our service commitment to our clients continues to be to strictly maintain the priority order of the documents received at the front counter while clients/couriers wait for the documents to be indexed and processed. Please take the time to ensure that you have determined whether the documents you are submitting are time sensitive and must be processed while you wait, or if they do not need to be processed in any priority order and can be dropped off for later receipt and indexing. Thank you for your cooperation. If you have any questions about this information, please do not hesitate to contact the Property Registration help line at 1-866-518-4640.