

## Guideline Form 15A

**Purpose of Form:** This form is used by an authorized lawyer to request that the registrar cancel the recording of a recorded interest (does not include a security interest) or judgment under Section 63 of the *Land Registration Act*. The form contains a certificate of legal effect certifying to the appropriateness of the removal of the interest and must be signed by an authorized lawyer.

**Instrument Type:** 841

**LR or ROD:** This document is indexed under the land registration system only.

**Mandatory E-Submission Applies:** No (currently no electronic F15A exists)

**Fee Required:** Yes (see required attachments under Acceptance Criteria)

### Acceptance Criteria for Form 15A:

Correct registration district is provided

Submitter user number and name – required to be the authorized lawyer who is signing the Form 15A

Form 15A includes only LR PIDs

Number of PIDs on form does not exceed 9

An affidavit, copy of the notice requiring cancellation and proof of service is attached

Proof of service includes affidavit re personal delivery or signature for recipient for courier or registered mail

Sixty calendar days have passed since date of receipt of service of demand

No *lis pendens* appears in the parcel register or “in process” related to this interest

Interest holder name and type and “Reference to Related Instrument” to be removed are provided and appropriate

Certificate of legal effect on form is dated and signed

### Description of Use of Form:

The registered owner of a parcel may send a notice requiring cancellation of a recorded interest or a judgment referenced in the parcel register by serving notice on the holder of that interest or judgment to take proceedings in the court to substantiate the interest or judgment.

The notice must include an affidavit outlining the owner’s objection to the recorded interest or judgment, the recording of which is sought to be cancelled as well as the reason(s) why the recorded interest or judgment should be cancelled.

The copy of the notice requiring cancellation of the recorded interest or judgment must clearly set out the obligations under Section 63 of the Act requiring the interest holder(s) to take action in order to substantiate the interest.

Land Registration Office staff will confirm the following: all the documentation listed above is attached, sixty days have passed since service of the notice and that no lis pendens has been recorded certifying that proceedings have been commenced to substantiate the interest. Staff will then cancel the recording of the interest in the parcel register(s) as requested, if the Form 15A has been completed correctly.

**Supporting Form(s) / Documents required:**

- an affidavit showing that the interest, the recording of which is sought to be cancelled, is invalid with respect to the parcel;
- a copy of the notice requiring cancellation of the recorded interest or judgment
- proof of service of the notice