

Guideline Form 48A

Purpose of Form: This form is used by an authorized lawyer to instruct the removal of judgments (may also include assignments or postponements of judgments) from the parcel registers of the PIDs specified on the form on the basis of a document other than a full discharge of judgment (certificate of satisfaction).

Instrument Type: 728 (this code is always used for a Form 48A regardless of the type of document attached).

LR or ROD: Despite the fact that judgments and judgment related documents are land titles documents, they must be searchable in a names-based index. For this reason, the document is indexed under the Registry of Deeds system so that a name search of the judgment debtor can be conducted.

Mandatory E-Submission Applies: No (currently no electronic F48A exists)

Fee Required: Yes

Accompanying Instrument Required: Yes (may include more than one attachment depending on the nature of the removal)

Acceptance Criteria for Form 48A:

Correct registration district is provided

Submitter user number and name – required to be the authorized lawyer who is signing the Form 48A

Document attached meets all acceptance criteria, (*e.g. signed, sworn, etc*)

Form 48A includes only LR PIDs

Number of PIDs on form does not exceed 9

Interest holder and type is to be removed and applicable “Reference to Related Instrument” is provided and currently appears in the parcel register

Certificate of legal effect on form is dated and signed by the authorized lawyer submitting the Form 48A

Even after removal of the judgment (related) interests from the parcel register, the Form 48A remains in the judgment roll as well as the judgment.

No instrument association is made between the Form 48A and the judgment or judgment related document being removed as the Form 48A will appear as the removal document.

Description of Use of Form:

A Form 48A cannot act to remove a judgment or other judgment related document from the judgment roll, only from parcel registers.

This form cannot be used for cancellations as a result of a full discharge (Form 47 or 48, as applicable), expiry (automatically removed by the system), or by operation of law (Form 24).

The authorized lawyer must attach an original or registrar certified copy of the document that in the lawyer's opinion acts to remove the judgment from the parcel register(s). This may include documents such as: a statutory declaration re judgment, partial discharge of judgment, order to set aside a judgment, certificate of full performance, assignment and/or discharge of bankruptcy, if in the opinion of the lawyer, the document acts to remove the judgment from the parcel.

Supporting Form(s) / Documents required:

Document acting to remove judgment from parcel register