

Parcel Description Certification Application Process Steps

Relevant LRA Sections	37(4)(g), 37(7)
Relevant LRA Admin Reg Sections	5, 6, 7, 8
Relevant Forms	1, 2
For More Information on the PDCA Process	www.servicens.ca/property/registry/usergroupresources
To Do the PDCA Tutorial	www.gov.ns.ca/snsmr/property/registry/tutorial/tutorial.asp

1.0 Parcel Description Certification Roles:

Lawyer:

Lawyers must be authorized to submit Parcel Description Certification Applications (PDCA) to the land registration system. An authorized lawyer is a lawyer who:

- Has practicing insured status,
- Has the required amount of liability insurance (as set by the NSBS),
- Has taken the required educational program as mandated and presented by the NSBS,
- Has been certified as eligible by the NSBS (see also definitions in the *Land Registration Administration Regulations*), and
- Has entered into a ***Property Online*** Authorized Lawyer User Agreement with the Minister of Service Nova Scotia and Municipal Relations and been issued a user name and two passwords (General Use Password and Private Password).

The authorized lawyer will ensure that all requirements of the *Land Registration Act* and Regulations are met and proper procedures are followed during the submission of the PDCA, as well as other land registration processes. The authorized lawyer will ensure that the land registration system is protected and maintained and by following NSBS professional standards regarding legal descriptions, ensure that the integrity of the parcel description database. Where the parcel description requires improvement or updating; the services of a surveyor are required.

Note: The PDCA checklist is a tool created to help submitters when preparing the PDCA for approval. Completion of the checklist will ensure that the submitter has considered all items that could affect the approval.

Surveyor:

Surveyors must be authorized in order to submit PDCAs. In order to be authorized to submit PDCAs, a surveyor must:

1. Be a Nova Scotia Land Surveyor in good standing under the *Land Surveyors Act*;
2. Have taken the mandatory PCDA training provided by Service Nova Scotia & Municipal Relations (SNSMR); and
3. Have entered into a *Property Online* Parcel Certification User Agreement with the Minister of SNSMR.

The authorized surveyor will ensure that all requirements of the *Land Registration Act* and Regulations are met and proper procedures are followed during the submission of the PDCA. The authorized surveyor will ensure that the integrity of the parcel description database is maintained. Authorized surveyors will also improve the quality of parcel descriptions as required.

Title Searcher & Support Staff:

The title searcher or support staff may:

- Do research to make the match between the description and the PID,
- Retype the long form description into a text file such as Word or WordPerfect, and
- Proof read the description before the lawyer or surveyor submits the PDCA for certification.
- Complete the PDCA checklist to ensure that the legal description meets all legal and standards requirements.

Land Registration Office Staff:

- When the property mapper is able to locate the parcel with reasonable accuracy in relation to its neighbours, the property mapper certifies that the legal description matches the PID that the owner applicant has identified in the provincial mapping system.
- The mapper checks to ensure that the legal description meets all description preparation requirements set out in the NSBS professional standards and the LRA regulations.
Note: The NSBS audit includes a review of a portion of the descriptions submitted to ensure all legal requirements and standards are met.
- The property mapper may approve the PDCA subject to correction of the description by the submitter.

1.1 PDCA Steps

Note: The PDCA can be done at any time in advance of a sale if the owner wishes. The draft AFR may be started before the PDCA is submitted, but the draft AFR cannot be submitted until the PDCA is approved. If it is possible to prepare the parcel description after the full search has been completed, this will result in fewer errors and prevent a subsequent amendment to the PDCA if the full search is completed later.

It is recommended that the PDCA be submitted well in advance of the closing in order to ensure that staff has sufficient time to complete the certification process and that the lawyer has sufficient time to complete the title search and application for registration.

1. In the event of a sale, the owner may choose to list the property with a realtor to sell.
2. The realtor advises the owner to consult with a lawyer regarding the requirements for the new land registration system - Parcel Description Certification Application (PDCA) and Application for Registration (AFR), or a surveyor regarding PDCA only.
OR The parties agree that the purchaser's lawyer or surveyor should submit the PDCA – in this case the purchaser needs to obtain a completed agency form from the owner (Form 4).
3. The owner or purchaser sees a lawyer or surveyor who assists them in the steps needed to make a Parcel Description Certification Application.
4. Lawyer or surveyor review the provincial mapping information in *Property Online* with the owner or purchaser and together identify the apparent PID.

Note: If the applicant is a mortgagee, receiver or trustee by way of foreclosure, assignment in bankruptcy or otherwise they may not have the necessary personal knowledge of the parcel configuration or location to identify the apparent PID and are therefore not required to confirm the apparent match (*LR Administration Regulations* clause 5(4)(c)).

5. If the parcel is not mapped or is mapped as part of a larger parcel, the owner must complete a **Request for PID Assignment** (Form 1) and submit it to the Land Registration Office; see Request for PID Assignment process below.
Note: The existence of a PID in the provincial mapping system is not evidence that the owner has complied with provincial and municipal subdivision requirements under Part IX of the *Municipal Government Act*.
6. When the apparent PID has been identified, the lawyer or surveyor submits the PDCA on behalf of the owner (or purchaser).
Note 1: If the submitter has not performed the full title search and plans to amend the description later or knows that there is a problem with the description content, but needs to have the PDCA approved (match certified) for closing, the submitter must
 - a) place a comment to this effect in the comment field, and
 - b) indicate on the PDCA submitter's statement that the PDCA is being submitted subject to the correction of the description.
Note 2: Any gross anomalies that exist between the description and the current mapping must be acknowledged in the comments field; this will serve to avoid unnecessary delays in the certification process and the mapper will correct these as time permits.
7. The LRO staff process PDCAs in the order that they arrive in the queue. If staff certifies the match between the PID and the description, the submitter is notified of the certification, the PDCA status is set to "certified" and is removed from the queue.
8. If there is a problem with the content of the description (or if the submitter has indicated on the submitter's statement that the description requires correction/improvement), the property mapper determines the match between the parcel description and the parcel (PID) and approves the application subject to the correction of the description by the submitter. In this case the submitter has 30 days to submit an amending PDCA with all of the corrections made. The status "Correcting Description Required" will remain on the parcel register until the corrected parcel description has been submitted and approved by the property mapper.
9. If the mapper cannot locate the parcel with reasonable accuracy, he/she may contact (e-mail) the submitter to acquire additional abstract or other information that would enable the mapper to depict the property on the map within the specified standards. The application status is changed to "on hold".
10. When the submitter provides additional information, the mapper will weigh any newly acquired information against existing information including the current mapping to see if the match can now be certified. If the submitter disagrees with the mapper, the senior mapper will assist.
11. Once the PDCA is approved, the draft AFR for the parcel may be submitted.

1.2 Request for PID Assignment (RPA)

If a parcel does not exist on the provincial property map or exists as part of another parcel, the owner or agent must submit a Request for PID Assignment (RPA) in Form 1 (paper form). This step must be taken prior to submission of the PDCA. The RPA is submitted together with such information as will enable the preparation of a graphical representation of the parcel.

RPA Processing Steps:

1. The owner or agent submits the RPA form and required information.
2. If the information about the parcel that is provided by the owner (or agent) does not enable the mapper to locate the parcel with sufficient accuracy to be able to map it, the mapper will request additional information from the owner (or agent).
3. The mapper will map the parcel if the information provided permits him/her to do so and will provide the owner with the assigned PID via fax, phone or email.
4. The PDCA can then be submitted and the PDCA process begins.

1.3 Creation of Parcel Description on Subdivision

Subdivision and Consolidation Plans that result in the creation of new parcels of land (approved or otherwise) must have a certified description before the plan can be registered. This normally will take place by the mapper generating short form descriptions from the plan during the processing of the subdivision if there is enough information to permit it (see “Remainder Lot and Remnant Parcel Requirements” on the lawyers resource page, for more information on what is required). The mapper is not permitted to create long form descriptions. If a remainder parcel created by the plan does not have enough information to allow the mapper to create a short form description, the plan cannot be registered until a long form description exists in the parcel register. The owner, via an authorized surveyor or lawyer, must have the long form description for the remainder parcel(s) submitted for approval so that the plan may be processed and registered.

1.4 Content of the Parcel Description

See the PDCA Checklist for details on standards and requirements.

1.5 Length of Description Exceeds Space (32,000 characters or ~8 typed pages)

If the length of a description exceeds the space available in the electronic PDCA form:

1. The electronic PDCA form must be submitted in the usual manner without the description being inserted into the parcel description field on the electronic PDCA form but with a reference to the fact that the description is being submitted by email inserted in place of the description; and
2. After the PDCA has been submitted and system has automatically returned the PDCA number to the submitter, the parcel description must be sent to the Land Registration Office as a text file attached to an email. The email must make reference to the PDCA number that was provided by the system when the electronic PDCA form was successfully submitted.

1.6 Changes in Description

If the description of a registered parcel is altered for any reason, an amending PDCA must be submitted in the Parcel Description Certification Application for approval. A notation as to what was changed shall be made in the comments field on the application.

1.7 Consolidations

Each PDCA shall contain only one description for consolidated parcels, except those parcels of land having received final endorsement on a plan of subdivision/consolidation where the newly created parcel does not have enough survey information shown on the plan to allow a perimeter description of the consolidated lot to be written (e.g. parcel 'A' added to a 300 acre parcel that doesn't show survey information on the plan; the original description together with parcel 'A' is acceptable).

1.8 Subdivision by Deed

A subdivision by Deed for which the sale will trigger a conversion will require a Form 1 to be completed in order to request a PID assignment from the mapper so that the PDCA can be submitted and certified before the AFR is submitted. The subdivision of a land registration parcel by deed will require the submission of the description before the plan is registered.