Property & Succession Update



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1. Legal Fees of Committee: Q.B.

Approval of legal fees of a committee was recently addressed by the Queen's Bench in *Porter v. Henry*, 2006 MBQB 218. In this case, the master had reduced the legal fees on application by the committee to pass accounts pursuant to Queen's Bench Rule 72.04(1). The court on appeal applies the factors to be considered in assessing a lawyer's account as set out in *Boguch Estate* (*Re*), 2004 MBQB 7, [2004] M.J. No. 20 and allows the appeal.

2. Infants' Estates Applications

Applications under <u>The Infants' Estates Act</u> are to be filed in the General Division and not the Family Division. See the recent <u>notice</u> from the Court of Queen's Bench for details.

3. CMHC Shelves Title Insurance

CMHC has recently announced that they will not proceed with their proposed title insurance initiative. For complete details, see the announcement on the <u>CMHC website</u>.

4. RBC Change of Address

The Royal Bank of Canada has transferred document processing for mortgage and loan documentation from Regina to Toronto effective October 13, 2006. The new contact information is as follows:

RBC Royal Bank, 180 Wellington Street W - 1st Floor, Toronto, ON, M5J 1J1

Toll-free phone: 1-877-359-4711, Toll-free fax: 1-888-359-4771

For further details, see the announcement on our website.

5. Condominium Law Update: MBA

The Manitoba Bar Association's Real Property Law section is planning a program on the recent changes to <u>The Condominium Act</u> with Rob Giesbrecht of Pitblado presenting. The program takes place on October 24. Visit the <u>MBA's website</u> for further details.

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