Property & Succession Update



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1. LTO Notices re: Duplicate Instruments and Notice Exercising Power of Sale

On August 1, the Property Registry issued a notice with respect to <u>Duplicate Instruments</u> which stated that effective August 25, 2008 duplicate instruments will no longer be accepted for registration. Another notice of the same date provided new forms for the <u>Notice Exercising Power of Sale</u>. These forms are also effective from August 25, 2008.

2. Changes in LTO Fees

Changes made to the Land Titles fee structure have been in effect since August 25, 2008. According to the <u>News Release</u> of June 20, 2008, the adjusted fees "...will be revenue neutral to government, simplify preparation for the Property Registry's next-generation electronic land-titles system, provide better service to clients by eliminating the need to fill out a form for a conditional service request and improve service." For complete details see the <u>Property Registry's website</u> for a <u>schedule</u> of the fees now in effect.

3. Resources for Property Lawyers

The July 2008 issue of the Canadian Bar Association's National <u>Real Property Section</u> newsletter contains the article <u>Section 8 of the Canada Interest Act: keep your options open</u> by Edward D. (Ned) Brown of Pitblado LLP as well as the article <u>House insurance: it pays to read the fine print</u> by Kevin Jaques. Also of interest to property lawyers are the following papers available for free download from the CLE British Columbia website:

- Joint Tenancy by James D. Baird
- Financing Acting for Borrowers by Mark V. Lewis

4. Recommending Reform of the Enduring Power of Attorney

The <u>Western Canadian Law Reform Agencies</u> have recently issued a comprehensive final report entitled <u>Enduring Powers of Attorney: Areas for Reform</u>.

5. Thanks to Volunteers

And finally, thanks are due to our eLaw Property & Succession Update volunteer contributors: Marvin Giesbrecht, Gwen Hatch, Charlotte McCurdy, Anita Southall and Jana Taylor. Credit for the success of this publication is due in no small part to their valuable contributions.

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