

NEW PROCESS FOR AUTHORIZATION TO ACCESS THE ELECTRONIC LAND REGISTRATION SYSTEM FOR ELECTRONIC REGISTRATION OF DOCUMENTS

Real estate fraud is of great concern to the Government of Ontario, and over the past year the Ministry of Government and Consumer Services has developed a Real Estate Fraud Action Plan to address the issue. One key component of the Plan is the implementation of new processes to ensure that appropriate checks and safeguards are in place to protect the land registration system.

The Ministry is introducing three new criteria which must be met by anyone who wishes to submit documents for registration in the electronic land registration system. These criteria are:

Identity – to ensure that only those who are entitled to have access to the system are registering documents

Financial Resources – sufficient to compensate victims of fraud

Good Character/Accountability - to ensure that only those with appropriate qualifications and integrity are dealing with the registration system

In the process set out below, you will be required to provide evidence to the Director of Land Registration, to show that you meet these three criteria. The Director has authority under the *Land Registration Reform Act* to authorize persons to access the electronic land registration system to register documents and establish the manner in which the authorization is assigned to those persons. **AUTHORIZATION FROM THE DIRECTOR OF LAND REGISTRATION IN ACCORDANCE WITH THESE NEW CRITERIA WILL BE REQUIRED IN ADDITION TO YOUR LICENCING AGREEMENT WITH TERANET.**

THE PROCESS

A package will be mailed to you before the end of December, 2007, with several documents:

- o An **Application** form, with an **Application Guide** to assist in completion of the form, and to set out the supporting documentation required to show that you meet the three criteria; and
- o A **Registration Agreement**, which will be an Agreement between you as Account Holder and the Director of Land Registration, under which you will be taking responsibility for all those with Teraview Personal Security Licences who are using your account to register documents electronically.

For those who wish to have search-only access to the system, no action is required.

If you are a Teraview Account Holder that wishes to obtain or continue to have access to the system for the purpose of registering documents, you will be required to complete the following process:

- Attend with the Application, Agreement and supporting documentation at your nearest **Land Registry Office or at selected ServiceOntario Centres** (a list of locations, as well as other information regarding the authorization process, will be available on the Ministry and ServiceOntario websites).
- If you are an Account Holder that is a firm, partnership, limited liability partnership, corporation, professional corporation, multi-discipline practice or government body, you must appoint and authorize an **Account Holder Representative** to attend and sign the documents on your behalf. This person's signature will bind your organization to the terms and conditions of the Agreement.
- The staff at the Land Registry Office or ServiceOntario Centre will check to ensure that all required documentation is submitted, sign the Application with you, assign a tracking number, and securely forward your information to Toronto for processing. If all is in order, **you should receive notification of the Director's authorization in approximately one week.**

THERE IS NO FEE FOR COMPLETING THIS PROCESS

THE TIMING

The authorization process will be rolled out in two phases, commencing late December 2007:

- o **Phase 1, which will end on March 31, 2008**, requires Account Holders that are **lawyers and law firms** (and other companies that employ lawyers who wish to register documents) to obtain authorization.
- o **Phase 2, which will end in Summer, 2008**, requires all other Account Holders to obtain authorization.

If you have not obtained the Director's authorization within these time frames, you will not be able to register documents in the electronic land registration system, but will have access to the system on a search-only basis.

It is expected that the majority of Teraview Account Holders will satisfy the criteria. If for any reason you apply for authorization and it is not granted, a further process is in place if you wish to request a review of the Director's decision.

PLEASE REFER TO THE MINISTRY OR SERVICEONTARIO WEBSITES, OR CALL 1-866-262-8135 OR (416) 314-3138 FOR MORE INFORMATION RELATING TO THE AUTHORIZATION PROCESS.