

## Online Submission Tool: Interest Registration

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## **Revision History**

Version #	Revision Date	Summary of Changes	Pages Changed

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#### **Overview**

This module will provide you with information to register interests using the Online Submission tool.

## **Objectives**

As a result of this module you will:

- Be able to complete a title search by owner name using the OLS search function.
- Be able to complete an application to register an interest.
- Be able to upload authorizations and attachments and link them to applications.

## What Is an Interest Registration?

An interest is an indication on a title that a third party (the interest holder) has some right in the property. The registration of an interest provides, to anyone searching the title, notice of the interest holder's claim against the property.

When registering an interest, the interest holder has the right to disclose details that relate to the interest. Two methods provide for this disclosure:

- A description that displays directly on the title.
- An attachment that is filed electronically at ISC and that may be searched and viewed at a later date.

Interests may be registered against a:

- Parcel
- Title
- Interest
- Interest share
- Abstract

**Note:** Authorizations are not required for an interest registration. However for certain interest types, governing legislation may require that a prescribed form or document accompany the application.

### Interest Registration - The Basics

The following provides a brief high-level description of the steps needed to register an Interest. For detailed instructions, refer to the step-by-step instructions.

- 1. Search for title, parcel, share, interest, or abstract information (optional)
  - If you already have the title, parcel, share, interest, or abstract number(s) to which you are registering an interest against, you may skip this step.
  - o If you are registering an interest against a title, the OLS search function will allow you to use the results of a title search and bring the title forward to the **Attach** Interest **To** section of the interest registration screen.

**Note:** When conducting a title search on the OLS Home page or on the Transfer, Interest, or Transform Tabs of the OLS tool, you can print the search results grid.

- 2. Create a new packet or select an existing packet
  - You may choose to add this transaction to an existing packet or create a new packet for the transaction.
- 3. Create new or select existing transaction
  - Select transaction type and click **Create** or **Select** from an existing transaction.

- 4. Complete interest registration details
  - O To register an interest there are several pieces of information you need to supply to ISC. These vary based on the interest type you are registering. The OLS tool will assist you in determining the mandatory fields for each interest type.
- 5. Request a title print (optional)
  - O Use the **Request Title Print** function if you want to order a copy of the title as it will appear once the transaction is registered.
- 6. Add authorizations and attachments
  - The Manage Authorization & Attachments area will allow you to link the necessary supporting documentation to the transaction.
- 7. Save and validate application, create summary report, and submit packet
  - Once you are satisfied the transaction you have created is complete, it is time to validate the transaction. If all transactions in the packet have been completed and successfully validated, you are ready to create a summary report and submit the packet.

**Note:** A summary report must be created after validation and prior to submitting the packet.

**Note:** You should save your work as you go through your application.

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## **Step-By-Step Reference**

The following provides detailed instructions that will guide you through successfully submitting your interest registration transaction.

# Step 1: Search for Title, Parcel, Share, Interest, or Abstract Information (optional)

The home page (as well as all transactional tabs) provides a quick search method to locate the title information. The **Search** criteria defaults to land description, however, you may also search by owner name, parcel number or title number. See the OLS **Common Elements** module for details on OLS search functionality.



- 1. Choose the search method from the drop down box for the criteria you wish to search by.
- Enter the criteria for the selected search method. See the OLS Common Elements module for details on completing this step.

**Note:** When the **Return all titles** check box is selected, the search will retrieve all titles for the parcels contained within the limits of any given quarter section or section.

Click Search. The Search Results will be displayed.



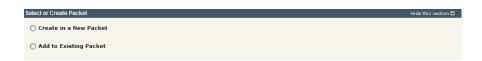
**Note:** If you start the interest registration process with a title search, the system will populate the search result(s) into the **Attach Interests** section provided that you select the title and click **Use Selection in Interest** in the **Title Search** section.

**Note:** If you choose to search by name, you will first see a list of all individuals. Click the radio button next to the desired name and **View Titles** to see the title search results.

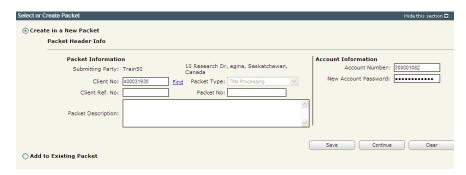
**Note:** To search for the share, interest, or abstract information, you will need to use the LAND Search function.

## **Step 2: Create a New Packet or Select an Existing Packet**

You may create a new packet or you may include the interest registration in an existing packet.



 Select the Create in a New Packet or Add to Existing Packet radio button. The system will open the Select or Create Packet screen.



- 2. If the packet is to be submitted under a different client number, enter the new Client No: and click the **Find** link. The system will display the Name and Address of the new submitting party.
- The account information can be changed if this packet is to be charged to a different account.
   Enter the Account Number and Account
   Password for that account.
- 4. Enter an optional **Packet Description** to help you identify the packet in the **Packets List**.
- 5. Click **Save** or **Continue**. The system will generate a packet number and refresh the screen allowing you to carry on with the transaction.

**Note:** If you entered a client reference during login, it is carried forward to this field. You can change or remove it if required. This number is for your information and is another way to distinguish

this packet from others. The Client Ref. No. will appear on your ISC invoice for this packet.

**Note:** To continue working on an existing packet, select the **Add to Existing Packet** radio button. See the OLS **Common Elements**module for details on using this option.

#### **Step 3: Create New or Select Existing Transaction**

At this point, the system allows you to create an interest registration transaction or select an existing transaction to continue working on a previously created transaction.



 To create a new transaction, select the Interest Registration radio button and click Create. The system will open the New Interest Setup screen.

**Note:** To continue working on an existing transaction, select the transaction from the **Select Existing Interest Transaction** drop down and click **Select**. The system will open the **Interest Registration** screen.

#### **Step 4: Complete Interest Register Details**

**Note:** Based on the interest type selected, certain fields described below are mandatory. The system will identify any errors when the application is validated.



- Enter an optional Interest Setup Description.
   This description is useful when dealing with a large number of applications within a single packet.
- Select the Interest Type from the drop down box. The Interest Type drop down box has the 14 most frequently used interest types listed first with the remaining types alphabetically listed below.

**Note:** For certain interest types, the governing legislation may require that a prescribed form or document accompany this application. If you have any questions in regard to a statutory interest, please consult the statute or call 1-866-275-4721.

**Note:** For a complete list of interest types available, see **Schedule A – Interest Types** found under Land Titles – Interest Transaction Forms: Application for Interest Registration Instructions located under the Form tab.

**Warning:** If you intentionally register an interest based on a mortgage as another interest type, no compensation is payable under subsection 84(2) of *The Land Titles Act, 2000* for any loss, damage or deprivation suffered by any party as a result of the registration. Registering a mortgage as any other interest type bars all claims for compensation.

- 3. Enter the Holder's Mortgage or Interest
  Reference Number (this is your unique file
  name or number) if you wish to provide your
  own reference number. This number will appear
  on verification statements sent to you from ISC.
- 4. Enter the **Interest Value** (only numbers and a decimal point can be entered in this field). Some of the most commonly registered interests that require a value include:
  - o Mortgage
  - Mortgage Annuity
  - o Builders' Lien
  - Bank Act Security
  - Condominium Property Act –
     Arbitration Costs
  - Condominium Property Act –
     Lien for Arrears
  - Public Guardian and Trustee
     Act Lien for Expenses
  - Provincial Lands Act –
     Interest
- 5. Enter the **Feature Number** (if required).
- 6. Enter the **Scheduled Expiry Date** if applicable.
- 7. Enter the **Description of Interest** (up to 180 characters). Leave this field blank if including an attachment.

**Note:** In certain situations, specific statutes will require that certain interest types be accompanied by prescribed forms or documents. If you have questions about a particular case, please contact 1-866-275-4721.

## Share Setup



 Enter the number of Fractional Shares and click Create Shares.

**Note:** The minimum  $\underline{\text{mineral}}$  fraction is 1/20 per commodity per parcel.

2. For each share listed in the **Current Share:** drop down, enter the fractional share and specify the share holder(s).

Note: The total of all fractional shares must add up to 1/1.

#### Select Conditions



- 1. Click the radio button for the appropriate conditions for this transaction.
  - No Conditions You will accept registration subject to any interests registered against the title or existing in the judgment registry at the time the application is processed.
  - o Free and Clear You will accept only if there are no interests on the title at the time the application is processed.
  - O Conditional Registration –
    You will accept registration
    subject to interests registered
    on the title or existing in the
    judgment registry at a
    particular date and time the
    title was searched. Enter the
    date as dd-mmm-yyyy and
    the time as hh:mm:ss.

**Note:** If the title does change, your application would be rejected to provide you with the opportunity to search and view the title again. You would then be required to resubmit the application.

#### Attach Interest



 Select an Attachment Type: from the drop down.

**Note:** You may also click **Go To Title Search** to search for a title.

- 2. Enter the **Title**, **Share**, **Abstract**, **Parcel**, **Interest**, or **Previous Application Number** in the field.
- Click Add. The screen refreshes with the holder/owner and other information displayed.
- Select Dominant or Benefiting from the Indicator drop down box if applicable.

**Note:** The only interests that need this indicator are: easement mutual, easement non mutual, restrictive covenant mutual, and restrictive covenant non mutual, and party wall agreement. When trying to register, these five interest types must be done at the parcel level.

5. If you need to add additional items, repeat steps 1 to 4 until you have selected all the necessary items.

### **Step 5: Request a Title Print (optional)**

If you request title prints for this transaction, you will receive and be charged for each title print for every title affected by the interest register number. See the OLS **Common Elements** module for details on completing this step.

### **Step 6: Add Authorizations and Attachments**

Authorizations and attachments are documents that form part of the packet and are added to the packet prior to submission. The OLS tool has the ability to upload documents as well as store and retrieve documents for future use.

See the OLS **Common Elements** module for details on completing this step.

# Step 7: Save and Validate Application, Create Summary Report, and Submit Packet

#### Validate Application

You should **Validate** your application when you are satisfied that all required elements are correct. If errors are encountered during the validation, a pop-up message box will be displayed and the screen will be repositioned to the **Validation Errors** section.

**Note:** If you have multiple applications in your packet, validate each application prior to submitting the packet.

Each transaction type has a specific number of applications that will determine whether a packet will be validated online.

Generally, application validation will take a couple of minutes, however it could take longer for packets with a very large number of applications, setups, or interests affecting a large number of titles.

**Note:** If you exceed the maximum number of applications within your packet or if your transaction contains more than the system allotted attached items, validation will take place off-line. The maximum number of items in an OLS application group before validation is done offline is:

Application Type	Maximum	Item Type
Title Transfer	15	Applications
Transform	100	Applications
Interest Registration	100	Interests
Interest Discharge	15	Interests
Transmission	15	Titles
Surviving Joint Tenant	15	Titles
Alternate Authority	15	Titles/Interests
Commodity Split	100	Applications
Interest Assignment	100	New Shares
Interest Amendment	100	New Interests
Judgment Registration	101	Interests

When offline, the OLS system performs an automated check of the assembly of each application within the packet to ensure that all requirements of ISC's business rules are met. Once the offline validation has been completed, notification of a successful or of a failure of offline validation will be sent to the user's notifications field on the OLS homepage and the packet will be returned to "Draft" status.

Generally, the validation process will take a couple of minutes, however it could take longer for transactions with a very large number of applications, setups or interests affecting a large number of titles. The packet status will change to "Being Validated" while validation is being performed. You will not be able to open or work on the packet until the offline validation has completed.

#### **Create Summary Report**

For this application, create the summary report from within this application. For a multi-application packet, click **View Packet Content** to create the full summary report for all applications within the packet.

#### Submit Packet



1. Click **Submit Packet**. The system will display the following confirmation screen. This page contains information from the packet header and an estimate of the fees for this packet.



 Once you have verified the accuracy of the information, click OK to submit the packet. The system takes you to the All Packets view of the Packet Management tab. The packet status will change from "Draft" to "Pending Submit."

**Note:** If you need a copy of this confirmation report, you may print it from here.

Note: Clicking Cancel only cancels submission of the packet.

## **Notables**

- There are over 150 interest types to choose from. Interests have different business rules, such as whether an interest is lapsable or nonlapsable, or whether or not an interest value has to be included.
- See *The Land Titles Act, 2000* for more information on Interest Types or seek the advice of your legal council to understand what type is right for your interest registration.

## Appendix - Adding an Interest to a Transfer

Once you have completed and validated a transfer application, you may also add an interest to it <u>before</u> creating the summary report and submitting the packet.



 Click the View Packet Content button located at the bottom of the Transfer application screen.
 The View Packet screen displays.



- Scroll down to the **Packet Content** section and click the radio button preceding the interest transaction type.
- Click Add. The system opens the New Interest Transaction tab.



**Note:** Although you can add an Interest by clicking the Interest Tab at the top of your screen, the process is different than the one we recommend you use since you would be starting a new packet. As a note, the main difference is that once you come to the step where you choose to **Create in a New Packet** or **Add to Existing Packet**, you would choose **Add to Existing Packet** and search for it by packet description or packet number. Also, you must ensure that you click **Save** prior to changing tabs or you may lose your work.

 Select the Interest Registration radio button and then click the Create button.

**Note:** You do not have to complete any information in the **Packet Header Info** because you are working in the same packet and the information has carried forward. If you click the Interest tab at the top of the screen, this information <u>does not carry forward</u>. You have to re-enter the information or select **Add to Existing Packet** and search by the packet number you are adding the interest to.

5. Proceed with the Interest Registration like you normally would. When you come to the Attach Interest section, ensure that you attach the Interest to the previous application. Select Previous Application from the Attachment Type drop down list. The system automatically populates the Enter Previous Application field with the applications that have the ability to attach to this transaction.



- 6. Select the application(s) you want the interest transaction to attach to using the drop down box.
- 7. Click **Add**. The system populates the Attach Interest To grid with your selection(s).
- 8. Select Dominant or Benefiting from the **Indicator** drop down box, if applicable for the interest registration.
  - Select **Dominant** for
     Easement Mutual or Non-Mutual, Party Wall
     Agreement, and Restrictive

Covenant Mutual and Covenant Non-Mutual Interest types.

- Select Benefitting for
   Postponement Interest types
   only.
- 9. Complete your interest registration by requesting title prints, if needed, and uploading your attachments and authorizations. Validate your Interest application to ensure that it is error free.
- 10. Create a summary report then submit the packet to complete your transaction.

Note: To create a comprehensive summary report, click the View Packet Content List button and choose Select All Applications from the drop down box in the Print section of the Packet Report screen. Click the Add button followed by the Create Summary Report button. You may also request printed copies of authorization and/or attachment documents to be included in your summary report by clicking each option's corresponding check box. However, since you already have copies of these documents that you have uploaded, faxed, or mailed to ISC, you may not want to request additional copies.