Online Submission Tool: Transmission

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Revision History

Version #	Revision Date	Summary of Changes	Pages Changed

Table of Contents

Overview

This module will provide you with information to complete a transmission on death or bankruptcy. You will also learn some of the features located under the Transfer tab.

Objectives

As a result of this module you will:

- Be able to complete a transmission upon Death or Bankruptcy.
- Be able to upload Authorizations and Attachments and link them to applications.

What Is a Transmission?

Personal Representative Regarding Titles

An executor or administrator of the estate of a deceased owner must apply to have the title transmitted into his/her/their name(s) as a personal representative using the application for transmission.

Note: A personal representative that is a corporate entity must use a pre-existing Corporations Branch (COBRA) linked client number.

In the case of a transmission, the authorization comes from the production of the document verifying the authority of the new owner, such as letters probate or letters of administration.

Documents that Must Accompany the Application

An application for transmission must be accompanied by:

- Letters probate or letters of administration, as the case may be, in the estate of the deceased individual.
- Evidence acceptable to the Registrar that:
    - The personal representative has obtained a certificate of the local Registrar pursuant to *The Administration of Estates Act* stating that no infants are interested in the estate of the deceased, if that is the case.
    - The personal representative has obtained a certificate of the Public Guardian and

Trustee pursuant to *The Administration of Estates Act* stating that no infants are interested in the estate of the deceased.

Unless an application is accompanied by such evidence, any application for registration of a transfer of a title (previously) owned by the deceased must be accompanied by one of the following:

- A certificate of the Public Guardian and Trustee pursuant to *The Administration of Estates Act* stating that no infants are interested in the estate of the deceased.
- The consent of the Public Guardian and Trustee pursuant to section 153 of *The Land Titles Act, 2000* in a form satisfactory to the Registrar.
- An affidavit by the personal representative stating the land was sold by the deceased prior to death.
- An affidavit from the personal representative stating that the new owner body corporation, municipal corporation or crown is acquiring the land for the construction, maintenance or operation of a railway, gas, oil or water pipeline, or a public utility easement.

For the purposes of section 153 of the Act, a certificate mentioned in clause (4)(a) or (b) is the consent of the Public Guardian and Trustee, and no other consent of the Public Guardian and Trustee is required to accompany an application for registration of a transfer of a title owned by the deceased.

Trustee in Bankruptcy Regarding Titles

A trustee in bankruptcy must apply to have the title transmitted into his/her/their name(s) as trustee in bankruptcy using the application for transmission.

Documents that must accompany the application

An application for transmission must be accompanied by evidence acceptable to the Registrar that the administration of the estate of the bankrupt is by way of:

- Summary administration that does not require inspectors.
- Summary administration that requires inspectors.
- Ordinary administration.

Note: This will normally be the receiving order or assignment in bankruptcy.

Inspectors will always be involved in ordinary administration. Summary administration may or may not have inspectors appointed. If you have a transmission involving summary administration, evidence acceptable to the Registrar requires that the packet include the following information:

- If the estate of the bankrupt individual is by way of summary administration that requires inspectors, we require the document that appoints the inspectors.
- If the estate of the bankrupt is by way of summary administration that does not require inspectors, we require an affidavit from the trustee that states no inspectors are required.

Where, prior to the receiving order or the assignment in bankruptcy, the bankrupt individual holds title jointly with another registered owner, the Trustee in Bankruptcy may apply for transmission into the name of the Trustee of an undivided share equal to the share of the bankrupt.

A title held by a bankrupt individual must be transmitted to the name of the trustee in bankruptcy before it may be transferred.

Transmission – The Basics

To transmit a title:

1. Search for title information (optional)
   - If you already have the title number(s) to be transferred, you may skip this step.
   - If you do not have the title number(s), you can use the search functionality within the OLS tool to find the number(s).

Note: When conducting a title search on the OLS Home page or on the transfer, interest, or transform tabs of the OLS tool, you may 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. Identify title to transmit
   - Search or enter title number(s).
5. Complete details of the transmission
   - Provide title value(s).
   - Select **Transmission to** type.
   - Specify personal representative or trustee.

6. Add representative or trustee
    - Use one of the four options to add the representative or trustee.
7. Request a title print (optional)
    - 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.
8. Add authorizations and attachments
    - The **Manage Authorization & Attachments** area will allow you to link the necessary supporting documentation to the transaction.
9. Save and validate application, create summary report, and submit the 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.

Step-By-Step Reference

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

Step 1: Search for Title 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.

2. 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.

3. Click **Search**. The **Search Results** will be displayed.

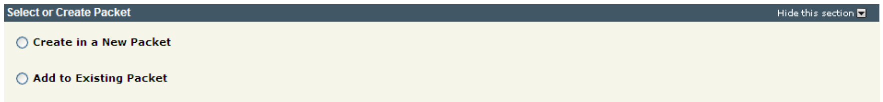
Note: If you start the transmission process with a title search, the system will populate the search result(s) into the **Surrender** section provided that you select the title and click **Use Selection in Transfer** in the **Title Search** section.

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.

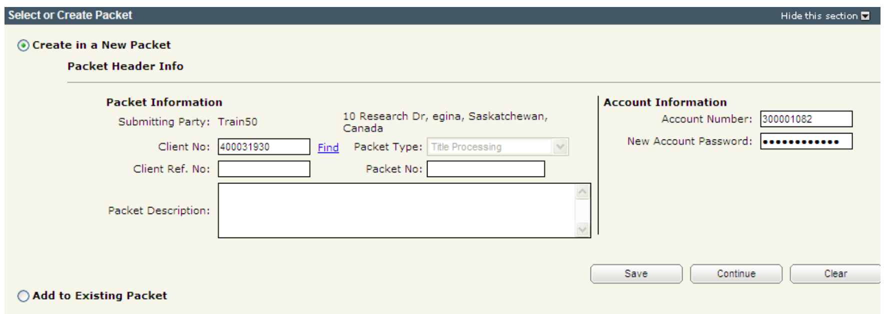
Note: To search for the share, interest, or abstract information, you will need to use the LAND Search function.

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

You may create a new packet or you may include the title transfer in an existing packet.



1. 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.

3. 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**.

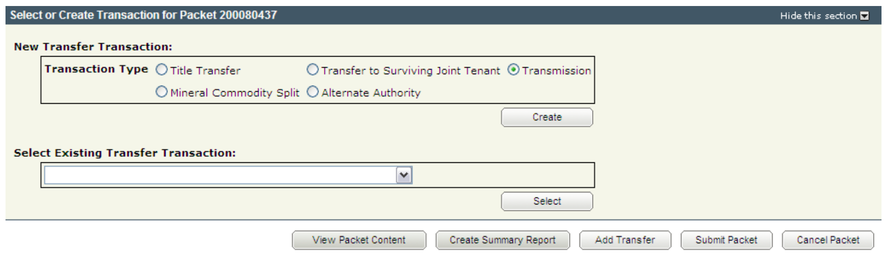
5. Click **Save** or **Continue**. The system will generate a packet number and refresh the screen allowing you to carry on with the transaction.

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 a transmission transaction or select an existing transaction to continue working on a previously created transaction.



1. To create a new transaction, select the **Transmission** radio button and click **Create**. The system will open the **Transmission Application** screen.

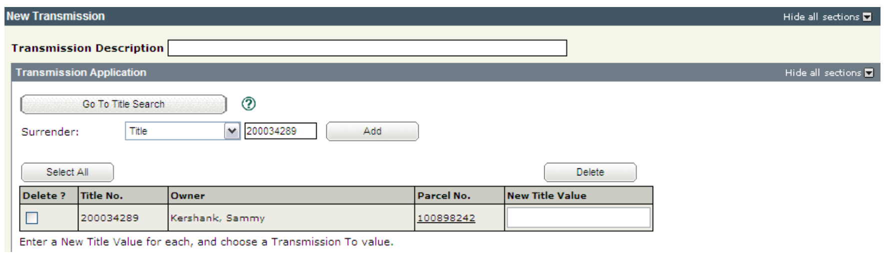
Note: To continue working on an existing transaction, select the transaction from the **Select Existing Transfer Transaction** drop down and click **Select**. The system will open the **Transmission Application** screen.

Step 4: Identify Title(s) to Transmit

There are two methods to identify items to be transmitted. You may either manually enter items to identify titles for transfer or you may search for titles and use the results to populate the **New Transfer** section.

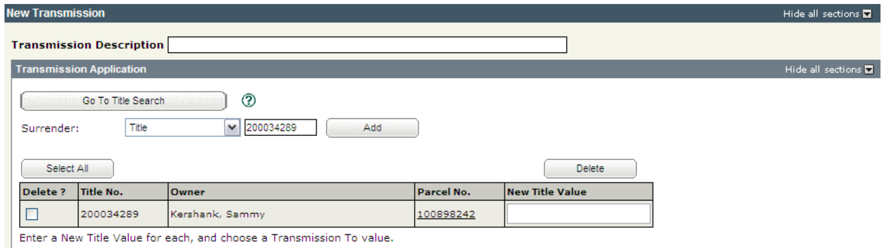
Note: If you used the **Use Selection in Transfer** option when you searched for a title, the title(s) will already be identified.

Manual Method to Identify Titles to Transmit



1. Enter an optional **Transmission Description**. This description will be used to identify this transaction in this packet.
2. Select the type of item you wish to transmit from the Surrender drop down list.
3. Enter the title, abstract, parcel, or previous application number in the **Surrender** field.
4. Click **Add**.
5. The system refreshes the screen and displays the selected title to be surrendered.
    - If you need to add additional titles, repeat steps 2 o 4 until you have selected all the necessary titles, parcels, or applications.

Search Method to Identify Titles



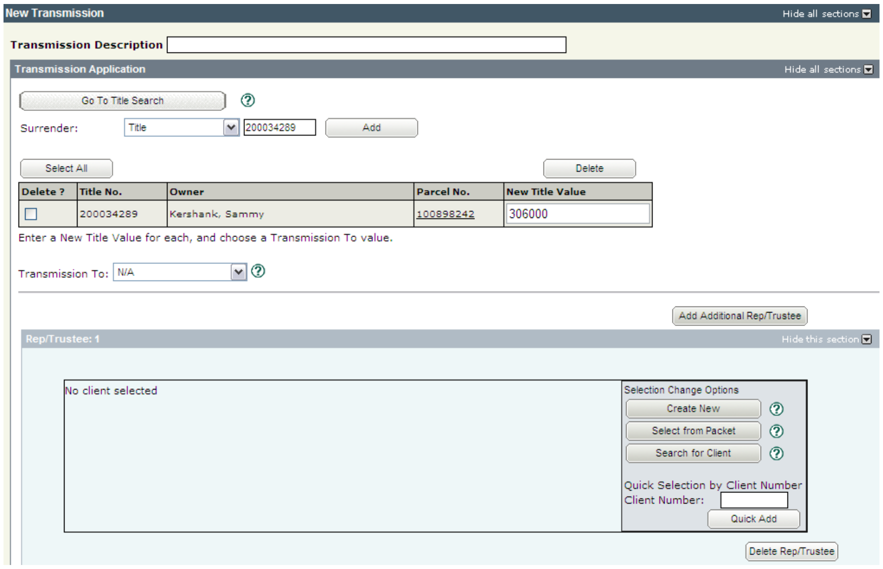
1. Enter an optional **Transmission Description**. This description will be used to identify this transaction in this packet.

2. Click **Go To Title Search**. The system will take you back to the Search area to complete a title search. See the **Common Elements** module for details on completing this step.

3. The system refreshes the screen and displays the selected titles to be surrendered.

    - If you need to search for additional titles, repeat step 2 until you have selected all the necessary titles.

Step 5: Complete Details of the Transmission



1. Enter the new title value for each title in the list in the **New Title Value** field.

2. Select the “Transmission to” type by selecting the appropriate option from the drop down box. Your options are:

   - Personal Representative – Someone appointed by a will or the court to deal with the property of a deceased individual. If a person dies and they own land as a single owner or as a tenant-in-common, then the title must be transmitted to the deceased person’s personal representative before being transferred to the beneficiaries.
   - Bankruptcy – Ordinary – An administration type where inspectors are appointed and must consent to any dealings

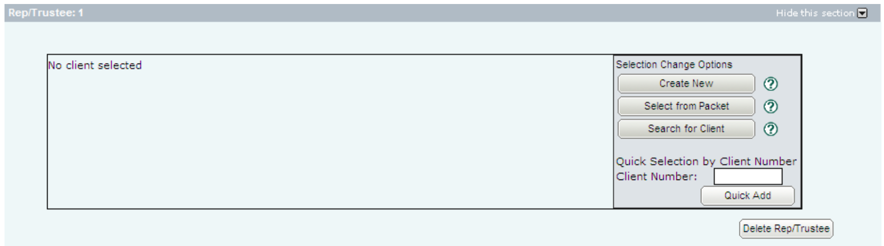
with the bankrupt person's land.

- Bankruptcy – Summary – An administration type where inspectors may or may not be appointed.

3. Specify Personal Representative or Trustee in Bankruptcy.

    - If you need to add an additional personal representative(s) or trustee(s), click **Add Additional Rep/Trustee** and complete the necessary details.

Step 6: Add Representative or Trustee



There are several options available to identify the representative or trustee:

- **Create New** allows you to create a new client entity in the system.
- **Select From Packet** allows you to select a client referenced in this packet.
- **Search for Client** allows you to search for either an individual or corporation in the land registry.
- **Quick Add** allows you to add the representative or trustee by entering their client number in the **Client Number:** field and clicking **Quick Add**.

Step 7: 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 8: 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 9: 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.

2. 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** <u>only</u> cancels submission of the packet.

Notables

- A personal representative that is a corporate entity must use a pre-existing Corporate Registry (COBRA) linked client number.
- When conducting a title search on the OLS Home page or on the Transfer, Interest, or Transform Tabs of the OLS tool, you may print the search results grid.
- When searching by Land Description Typical Rural or Other you can retrieve all parcels related to the land description, such as Legal Subdivisions and Blocks/Parcels on Plan by clicking the "Return all titles" check box.
- If you have multiple applications in your packet, validate each application prior to submitting the packet.
- Clicking **Cancel** <u>only</u> cancels submission of the packet.
- You may transmit multiple titles in the same application group. The titles in this group must be transmitted to the same "Transmission to" type. The personal representative(s) or trustee(s) must also be the same.