

The government is providing a new guarantee of ownership to property owners and is changing how land records are stored and accessed. You need to know how the changes will affect you.

A new land registration system that guarantees ownership to people buying, subdividing or mortgaging real estate in Nova Scotia is in the process of being implemented. The ownership guarantee, together with improved access to land-related information, will make real estate transactions easier for everyone. To receive the ownership guarantee, land owners need to convert their property into the new system. This is a one-time process for each property in Nova Scotia, involving certification of the legal description and the title of the property.

The new land registration system is being rolled out on a region-by-region basis. See the box below for the rollout date for each county.

Rollout Dates by County

Annapolis County	Mar. 1, 2004
Antigonish County	Dec. 1, 2003
Cape Breton County	Mar. 1, 2005
Colchester County	Mar. 24, 2003
Cumberland County	Dec. 1, 2003
Digby County	Mar. 1, 2004
Guysborough County	Mar. 1, 2005
Halifax County	Dec. 1, 2004
Hants County	Mar. 1, 2004
Inverness County	Mar. 1, 2005
Kings County	Mar. 1, 2004
Lunenburg County	Mar. 1, 2005
Pictou County	Dec. 1, 2003
Queens County	Mar. 1, 2005
Richmond County	Mar. 1, 2005
Shelburne County	Mar. 1, 2005
Victoria County	Mar. 1, 2005
Yarmouth County	Mar. 1, 2005

After a property is converted to the new land registration system, real estate transactions related to that property should be less costly and proceed without delays related to the title search because the last historic search will have been completed. More complete land-related information will be accessible to citizens at Land Registration Offices across the province and will be available over the Internet to subscribers of *Property Online*, the government's online property information service.



Planning to buy, sell or mortgage real estate?

Questions and answers about the one-time conversion process...

When does my land get converted?

After the new land registration system is in place in a county, any parcel of land that is about to be sold, subdivided or mortgaged must be converted into the new system. As well, anyone who owns property in a designated county may voluntarily convert their property into the new system. If you are getting a mortgage, your property must be converted before the bank advances the funds for your mortgage.

How long does it take to convert my land?

When you are selling a property, the steps involved in reviewing title and preparing documents can add a few weeks to the normal property closing time. The conversion process will add up to four days to the time required to complete a mortgage transaction.

Who can convert my property?

Authorized surveyors and lawyers can help you with the first step in conversion—getting your description certified. Authorized lawyers can also handle the property registration steps. To find out which lawyers and surveyors are authorized, call the toll free number listed below.

Who pays to convert my property?

The cost of converting a property into the new system is usually paid by the land owner. When land is being sold, either the seller or the buyer can convert the property. This should be decided as part of the sale negotiation.

What does it cost to convert a property?

There are no additional government fees for converting a property—the government charges the same document filing fee for converted and unconverted properties. The lawyer or surveyor will charge a fee for their professional services related to the property transaction. The lawyer and surveyor are required to take some one-time steps in helping you to convert your property into the new system that are in addition to the services normally required in a sale or mortgage transaction. Fees for the added services are determined by each lawyer and surveyor, not the government. As with any service, it is important for consumers to ask in advance what those fees will be. Often if you are using the services of a lawyer who has previous knowledge about the property, there will be a savings as the earlier title work can be used in the conversion process. The government estimates that the added steps required to convert a standard parcel should take approximately two hours of a lawyer's time. Additional parcels that have the same title history should take less than one extra hour of a lawyer's time to convert. Fees will vary, depending on the complexity of your property's description and title. Do not hesitate to ask your lawyer to review with you fees that will be charged for your transaction.

Do I have to pay the conversion fee more than once?

The additional legal fee for conversion is paid only once for each property. Once a property has been converted into the new system, there are no additional fees, and, in fact, the costs should be reduced for subsequent transactions, as the process is more streamlined and there is no requirement for a historic search any longer.

When should I register my old deed?

If the deed to your property is not currently registered at the Registry of Deeds, it may be wise to register it before or right after the land registration system is implemented in the county where the land is located. If you wait more than 90 days after the new land registration system is implemented in your county, the registration of your deed will require you to convert your property into the new system and pay the associated one-time legal fees, even if you are not selling, mortgaging or subdividing the property.

Do I need title insurance to convert my land?

When converting a property to the new land registration system, title insurance cannot replace the historic title search and the lawyer's opinion of title. The government provides a guarantee of ownership for properties certified in the new land registration system so private insurance is not required for this purpose. Title insurance can still be purchased for other purposes related to a property closing, such as replacing a tax or zoning certificate.

Want to know more?

- Call our toll free help number at 1-866-518-4640
- Visit your local Registry of Deeds/Land Registration Office
- Check out our website at:
www.servicens.ca/property/landreg/

