Electronic Title Searching

By James H. (Kim) Little, Q.C.

Reprinted with permission of the author from the Abstract Page, Real Property Section Newsletter of the Canadian Bar Asscoiation, Ontario. For more information visit the Teranet website at www.teranet.on.ca

WHAT IS ELECTRONIC TITLE SEARCHING?

The ability to access the Land Registry Office records of the Ministry of Consumer and Commercial Relations from remote locations.

Teranet, which is a corporation owned by the Province of Ontario and private industry, is now in the process of automating all the real property title records in the Province.

To accomplish this they are:

1. Mapping the province to show the approximate location of every property which is in separate ownership;
2. Allocating property identifiers (PINS) to each parcel;
3. Converting all titles that are presently governed by the Registry Act, to titles that are governed by the Land Titles Act (LTCQ);
4. Scanning applicable documents into electronic format;
5. Providing a "gateway" through which the public may access these records.

WHAT CAN WE DO TODAY?

The process is moving forward rapidly. A number of jurisdictions have been fully converted and the P.I.N. maps and document images are becoming available. Middlesex County was the first jurisdiction in the Province that was fully converted to LTCQ. Once title to a property has been converted it can be searched remotely. This means that a person who has access to the records through the Teranet gateway ("Teraview"), may:

1. Obtain a copy of the parcel register for a P.I.N. through the person's own laserprinter;
2. Obtain a copy of most instruments shown on the parcel register. This is done using the fax back feature which allows the user to request a document and have it faxed to him or her;
3. Obtain copies of plans and documents that are not available "on line" by requesting, through Teraview, that they be delivered by courier;
4. Search abutting properties using the map feature which will identify and give you access to all abutting properties;
5. Search Executions and obtain an execution certificate;
6. Search titles in other counties, regions and districts that have been "activated". There are limitations at present because when the parcel is first activated you can only see and print the parcel register, later the documents and maps become available.

All of this from your own desk.

This whole system is still in its infancy and many improvements can be made. Teranet staff are aware of the need for these improvements through extensive consultation with the legal profession and other users of the system. They have been very responsive to the needs of their customers and are constantly making changes to the system to meet those needs.

WHAT DO YOU NEED TO ACCESS "TERAVIEW"?

Computer Hardware:

	Minimum	Recommended
Processor	486	Pentium
RAM	16mb	32mb
Modem	28.8 baud	28.8 baud
Monitor	Super VGA Colour	Super VGA Colour
Printer	Laser with 2mb RAM	Laser with 4mb RAM
Hard Drive Memory		1 G

There may be some instances where you will not require a laser printer, but if you are considering a new purchase a laser printer is advisable. Electronic Registration is coming soon and a laser printer will be required to access all its features.

WHAT WILL IT COST ONCE I HAVE THE HARDWARE?

	Key Office Charges		
	Statutory Fee	Teranet Fee	Total
1. Teraview software and access to the gateway for one workstation, with rights to search in one key office and in all other offices at a slightly increased fee.			$295.00
2. Parcel Register	$5.00	$10.00	$15.00
3. Each additional page of parcel register	$1.00	$1.00	$2.00
4. Instruments faxed back, per page	$0.50	$0.50	$1.00
5. P.I.N. Map	-	-	$5.00
6. Execution Certificate, per name	$11.00	-	$11.00
7. Couriered plan or document, Teranet fee plus courier charge	-	-	-
8. Time on line, first 2 minutes no charge subsequent charge per minute	-	$0.30	$0.30

All of the foregoing charges include the statutory fee that would be paid in the Registry Office but do not include the taxes that are payable on the Teranet services which are provided (that is, the difference between the Statutory fee and the total).

WHAT ARE SOME OF THE ADVANTAGES?

1. Speed.
2. Convenience.
3. Accuracy.
4. Identity of abutting PINs by map
5. Docket summary available for keeping track of disbursements.
6. Ability to search in other counties, districts and regions.
7. Extended hours, 8 a.m. to 8 p.m., Monday to Thursday. 8 a.m. to 6 p.m. Friday (this will likely expand).
8. Teranet Customer Service.

WHAT ARE SOME OF THE CURRENT PROBLEMS?

1. Plans are not available on line.
2. Documents cannot be viewed on line. This is of particular concern when dealing with lengthy documents. Teranet expects that this problem will be solved within the next few months.
3. An abutting owner search costs $15.00 for each parcel register you look at. (That includes the $5.00 statutory fee and the $10.00 Teraview fee).
4. Some documents are not available through the fax back feature, for example thumbnail descriptions often refer to old easements which have not been scanned into the electronic data base.
5. Some documents are not activated and you must wait 24 hours after you request them in order to go back and ask that they be faxed to you.
6. There are present delays in activating recently registered documents.
7. It is not possible to search by reference to lot and plan.
8. A network version is not available. Teranet is fully aware of all of these problems and is actively seeking solutions for them.

SUMMARY

Even though the Teraview system is very new it is proving to be a most useful tool. Constant improvements are being made which will make its use more convenient and less costly. The advent of electronic registration will make access to the system essential. Lawyers and their staff should become familiar with Teraview before electronic registration is introduced, in order to avoid some of the confusion and delay that will arise from learning both systems.

* James H. (Kim) Little Q. C, Little, Parker, London, (519) 672 5415

TERAVIEW PRODUCTS COVERAGE

POLARIS SEARCH - GEOGRAPHIC COVERAGE AND FUNCTIONALITY   **Effective December 3, 1998**

		POLARIS TITLE			MAPS	IMAGES
No.	Land Registry Office	Full Search	PDFR	% Complete	% Complete	Instrument Fax-Back
2	Brant	25%	7%	32%	---	---
4	Ottawa/Carleton	90%	10%	100%	65%	YES
7	Dufferin	100%	0%	100%	---	YES
13	Frontenac	42%	58%	100%	---	---
20	Halton	100%	0%	100%	---	YES
24	Kent	100%	0%	100%	100%	---
30	Niagara North	45%	55%	100%	---	---
33	Middlesex	100%	0%	100%	100%	YES
40	Durham	61%	30%	91%	---	YES
41	Oxford	100%	0%	100%	95%	---
43	Peel	91%	9%	100%	---	YES
44	Perth	46%	0%	46%	---	---
45	Peterborough	21%	0%	21%	---	---
49	Renfrew	52%	0%	52%	---	---
51	Simcoe	27%	4%	31%	---	---
53	Sudbury	10%	0%	10%	---	---
58	Waterloo	14%	86%	100%	---	---
59	Niagara South	31%	3%	34%	---	---
61	Wellington	45%	38%	83%	---	---
62	Wentworth	94%	6%	100%	100%	YES
65	York	78%	22%	100%	---	YES
80	Metropolitan Toronto	69%	0%	69%	53%	YES

Writs Search: Product Coverage, Province-wide coverage of writs of execution searching is now available through Teraview. Writs Search enables searching in all 49 writs databases in Ontario.

TitlePLUS: Product Coverage, TitlePLUS coverage is available province-wide through Teraview. TitlePLUS title insurance policies can be issued for properties in any jurisdiction in Ontario.