



Sample Search Requirements for Commercial Condominiums in Ontario¹

This chart shows the searches and due diligence usually required for applications for TitlePLUS® policies for commercial condominiums. This chart is a sample for information purposes only. Commercial condominiums differ and may involve risks other than those addressed by the requirements in this chart. To obtain search and due diligence requirements for specific transactions, please contact the TitlePLUS Customer Service Centre at 1-800-410-1013 or 416-598-5899.

	Mortgage-Only 80% of value or less, up to \$1 million	Mortgage-Only over 80% of value, up to \$1 million	Purchase up to \$1 million	Purchase or Mortgage-Only, \$1-\$2 million
Title (including deleted instruments); (Section 50, <i>Planning Act</i> not applicable)	Back to later of registered mortgage being replaced or last transfer	Back to later of registered mortgage being replaced or last transfer	Yes	Yes
Executions on vendor and/or where mortgage, on borrower and guarantor	Yes	Yes	Yes	Yes
Executions on condo corp.	No	No	No	Yes
Realty taxes and local improvements	No	Yes	Yes	Yes
Municipal water and sewage, if not included in common expenses	No	No	Yes	Yes
Up-to-date Status Certificate	No	Yes, or clear certificate within 2 years + verbal on common expenses and special assessments	Yes	Yes
Building department work order search	No	No	No	Yes
Electrical compliance and work orders	No	No	No	Yes
Fire compliance and work orders	No	No	No	Yes
Zoning, if zoning coverage to be provided in Non-Residential Endorsement	Yes	Yes	Yes	Yes
Verify that use of unit(s) complies with Declaration and By-laws	No	No	Yes	Yes
Corporate status on corporate vendor and/or borrower	Yes	Yes	Yes	Yes

(cont'd...)

	Mortgage-Only 80% of value or less, up to \$1 million	Mortgage-Only over 80% of value, up to \$1 million	Purchase up to \$1 million	Purchase or Mortgage-Only, \$1-\$2 million
Survey	No	No	No	Lawyer to obtain plan of condo and have purchaser confirm unit(s)
If corporate borrower, corporate resolution authorizing borrowing and mortgage security	Yes	Yes	Yes	Yes
On-line search for Record of Site Condition	No	No	Yes	Yes
Private septic system approval, if on private condo septic system	No	Yes	Yes	Yes
Potability certificate, if on private condo water supply	No	Yes	Yes	Yes
Commercial lease review and/or tenant estoppel certificates, where tenancies assumed and retainer includes	Yes	Yes	Yes	Yes
GST/HST issues, if retainer includes	No	No	Yes	Yes
Postponement of existing commercial leases or tenancies to mortgage being insured, unless lender instructs not to obtain	Yes	Yes	Yes	Yes
Compliance with private agreements or restrictive covenants, where no grounds to believe non-compliance exists	No	No	No	No
Compliance with private agreements or restrictive covenants, where have grounds to believe non-compliance exists	Yes	Yes	Yes	Yes

¹ The TitlePLUS policy is underwritten by Lawyers' Professional Indemnity Company (LAWPRO®). Please refer to the policy for full details, including actual terms and conditions.

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