

Helpful Hints

We have compiled a list of hints for using TitlePLUS programs, based on incoming calls to our call centre.

Training

If any of the lawyers or staff at your firm would like training on TitlePLUS products, please:

- Contact [TitlePLUS Customer Service](#) to schedule a phone house call; or
- Contact your TitlePLUS Consultant to schedule a personal visit to your office. Listed below are the TitlePLUS Consultants, their territories and e-mail addresses:

Tim Anningson
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Nicky Kokologianakis
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Shawna Ramsay
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Jennifer Hutcheon
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(continued)

Did you remember to issue your TitlePLUS Policy?



After you close a transaction, don't forget to issue your TitlePLUS policy. If you do not issue the TitlePLUS policy in a timely fashion and a claim situation arises, your client may encounter difficulties in filing the claim. At a minimum, delay and embarrassment will ensue.

[Click on this link for instructions on How to Issue a TitlePLUS Policy on titleplus.lawyerdoneadeal.com.](http://titleplus.lawyerdoneadeal.com)

If you have any questions or would like some help issuing a TitlePLUS policy, please call TitlePLUS Customer Service at 1-800-410-1013.

Suggestions?

If there are topics that you would like to see us cover in future issues of the TitlePLUS Express, please [contact us with your suggestions.](#)



HELPFUL HINTS cont'd

Correction Endorsement

Before you issue a TitlePLUS policy, please always print a draft policy and review it carefully. Corrections can still be made on-line prior to issuance. If notwithstanding your pre-issuance review you notice a mistake in an issued TitlePLUS Policy, simply complete a [Correction Endorsement Request Form](#) and fax it to us. Although we cannot change the actual policy, we will provide you with a custom acknowledgment letter or correction endorsement for the policy.

High Ratio Mortgage

What do we mean when we ask if a mortgage is "high ratio" or when we ask whether "the 75% loan to value ratio is exceeded"? We want to know whether the mortgage principal, set out in the Mortgage/Charge to be registered on title, is greater than 75% of the purchase price or the value of the property. If there is CMHC or GEMICO insurance on the mortgage, then the mortgage is high ratio and the 75% loan to value ratio is exceeded. If you are acting on a refinance transaction and you are unsure as to whether the principal of the mortgage is greater than 75% of the value of the property, please contact the lender for their appraised value. If the lender does not have an appraisal, you can use the value that was assessed for tax purposes.

Claims

If you want to make a claim or ask a question about a potential claim, please complete the [Proof of Loss Form](#) and fax it to LAWPRO (416-599-8341 or 1-800-286-7639). A member of the LAWPRO Claims Department will contact you to discuss the claim.

Non-arm's length transfer

Where the transaction is a non-arm's length transfer, the purchase price must be the fair market value of the property. To obtain the value of the land, do one of the following:

- a) Contact the lender for their appraised value of the land or, if an appraisal of the property was done by an appraiser in the last year, use the value from this appraisal;
- b) If an arm's length transfer was registered within the last two years, use the purchase price listed on the transfer;
- c) Obtain a copy of a recent (within the last two years) municipal tax assessment; or
- d) Have a real estate agent do a valuation.

Make sure to keep a copy of the appraisal, valuation and/or notes in your file for whichever method you use.

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HELPFUL HINTS cont'd

Title and off-title issues

Enter title issues and off-title issues in your TitlePLUS application, according to the Instructions for your province, which are found on the drop-down “Help” Menu on titleplus.lawyerdonedeal.com. For example, if you are acting for someone who is purchasing a condominium or refinancing a condominium with a high ratio mortgage, please enter any issues revealed by the status/estoppel certificate in your TitlePLUS application.

TitlePLUS Confirmed Lenders

TitlePLUS Confirmed Lenders have each agreed to accept TitlePLUS coverage in lieu of their standard reporting requirements. Details of each Confirmed Lender’s requirements are set out in the Confirmed Lenders Chart. Check the chart for each transaction to familiarize yourself with the lender’s specific requirements.

Insure Over Requests

You can request an “Insure Over,” which asks for coverage for the purchaser(s) and/or mortgagee(s) for issues that would normally be exceptions to coverage on Schedule “A” of the TitlePLUS policy. When setting out an issue in the Action List, just select “Insure Over” as your “Action.” Your application will be reviewed by TitlePLUS staff and a decision will be made as to whether we can grant you this additional coverage. Please note that each insure over request is considered individually, so the same request on different policy applications may result in coverage for one situation, but not for the other.

TitlePLUS Quick Facts

If your transaction is in Ontario, look at the [TitlePLUS Quick Facts](#) for quick tips on TitlePLUS title insurance and legal services coverage, transactions that qualify for TitlePLUS coverage, certain key definitions, and access to a chart listing a summary of searches and the requirements with respect to undertaking them. A review may help you expedite your workflow by determining what does not need to be done. This could ultimately save you and your staff time, and your clients certain disbursement costs.

Which Web Browser should I use to access titleplus.lawyerdonedeal.com?

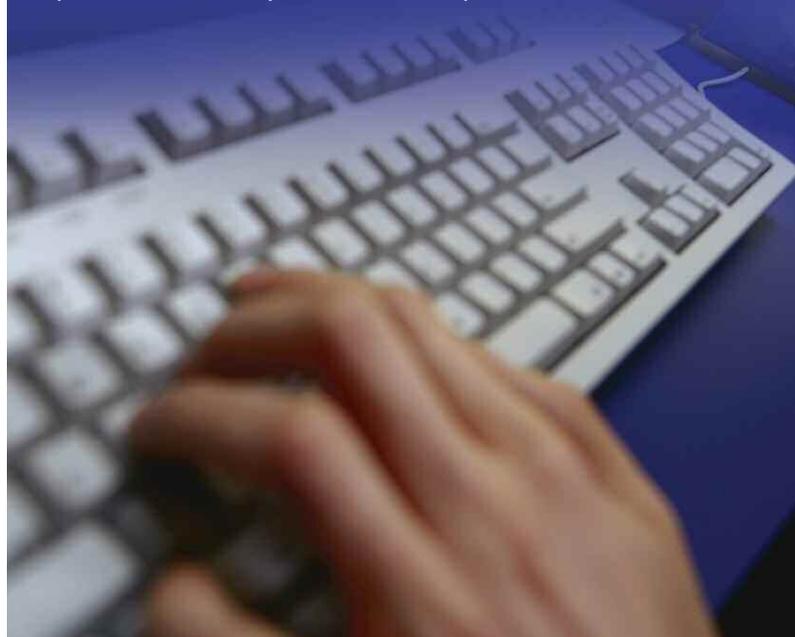
The titleplus.lawyerdonedeal.com Web site currently supports Microsoft Internet Explorer (version 4.0 or higher), but it does not support Apple/Macintosh systems, Firefox or any other Internet browsers. For more information and a link to the downloadable version of Microsoft Internet Explorer, [click here](#).



Help us contact the correct staff member at your office: sign up now for Advanced User Access

Sign up for Advanced User Access, a simple system that allows lawyers and their staff members to log into titleplus.lawyerdonedeal.com and lawyerdonedeal.com with their own personalized user login credentials. Based on this login, the system will indicate who has worked on a file, providing the firm with greater privacy and security, and allowing TitlePLUS staff to contact the correct staff member for each application.

To set up an account with individual user login credentials, please contact LawyerDoneDeal Corp. at 1-800-363-2253.





CIBC's Recent Broadcast Fax: A Reminder

CIBC Mortgages Inc. ("CMI") has faxed lawyers to advise as follows:

"Effective January 9, 2006, **if required by the Mortgage Approval document or Mortgage Commitment document** you must FAX the completed IVF [Identification Verification Form] to our Mortgage Funding/Advancing area at least 1 day prior to closing, and preferably with the Requisition for Funds. Note that funds may not be advanced by us or disbursed by you until we are in receipt of the fully completed IVF. The original IVF is still to be sent to us with the Solicitor's Final Report.

Revised Instructions to Solicitor will be posted on our websites at www.cmi-docs.com & www.firstline.com"

This requirement must be met if you are applying for TitlePLUS coverage for a CMI, FirstLine or President's Choice mortgage.

Annual Average

Price of Residential Properties sold Nationally

The following chart was created with information obtained from The Canadian Real Estate Association (CREA)*. It is intended to be informational only. However, it is interesting to see the growth in the market. There is no doubt that the huge refinance business that blossomed over the last few years was greatly driven by these rising real estate prices.

CREA publishes many interesting statistics on their Web site. They update the average prices monthly, as well as providing monthly real estate forecasts. Their Web site is www.crea.ca.

Reviewing CREA's forecasts may be beneficial to you as you plan for the future in areas such as staffing and upgrading technology.

Year	Average Annual Price - National	% Increase since 1996	
		Year over Year	Cumulative
1996	\$150,886		
1997	\$154,606	2.5	2.5
1998	\$152,365	(1.3)	1.0
1999	\$158,145	3.8	4.8
2000	\$163,992	3.7	8.7
2001	\$171,743	4.7	13.8
2002	\$188,754	9.9	25.1
2003	\$207,111	9.7	37.3
2004	\$226,230	9.2	49.9
2005	\$257,427	13.4	70.6

* Data used with permission of The Canadian Real Estate Association.

Gap Coverage for Mortgage-Only Policies in Nova Scotia

The TitlePLUS Program offers extended, 30-day Gap Coverage for TitlePLUS mortgage-only policies on Nova Scotia properties being migrated from Registry to Land Titles. For more information or to request this extended coverage, please contact a TitlePLUS Underwriter at 1-800-410-1013.





NEW HOME PROGRAM

The TitlePLUS New Home Program is a Web-based TitlePLUS policy delivery system for purchase transactions involving specific new freehold and condominium homes. Currently, this program is only available in Ontario. Please contact us to discuss national expansion plans. The easy point-and-click interface and centrally administered underwriting will save you and your staff time, and the 24/7 accessibility ensures that you get your client's TitlePLUS policy when it's convenient for you.

Upcoming Closings

in the TitlePLUS New Home Program¹

- Estates of Valley Creek Phase 2 (Plan 43M-1639) by South Starfield Estates Inc. (Starlane); closings start February 2006
- Simcoe Shores Phase 3 (Plans 51M-728 & Plan 51M-729) by Vistacan Investments Inc. (Royal Park); closings start March 2006
- Boxgrove Phase 1 (Plan 65M-3853) by Desert Fox Properties Inc. (Starlane); closings start March 2006

The TitlePLUS New Home Program gives you the opportunity to save time and money. Check for these projects and others on titleplus.lawyerdonedeal.com.

¹ Purchase prices greater than \$1 million CDN are not eligible for the TitlePLUS New Home Program. Contact TitlePLUS Customer Service at 416-598-5899 as early as possible to discuss your options, as additional searches will apply.



Do I need to order a

Status Certificate

for condominiums in the TitlePLUS New Home Program?

For the majority of condominium applications in the TitlePLUS New Home Program, Status Certificates do not need to be ordered by the purchaser's lawyer. The vendor usually controls the condominium corporation when the transactions close and provides the TitlePLUS underwriters, before closing, with evidence that the issues covered by a Status Certificate are satisfactory to us. The lawyer for the purchaser also receives a Status Certificate as part of the closing package, without specifically requesting it.

However, some condominium unit purchases in the TitlePLUS New Home Program do not close until after the vendor has "turned over" control of the condominium corporation to the unit owners. After turnover, the condominium corporation itself issues the Status Certificate and the vendor-builder can provide neither the purchaser nor the TitlePLUS Department with a free Status Certificate.

If you wish to insure a condominium under the TitlePLUS New Home Program and you suspect that the "turnover" has already taken place, (i.e., the vendor's closing package does not include a Status Certificate and instead says where to order one), you must obtain (and pay for) a Status Certificate from the condominium corporation or its manager. Then, advise the TitlePLUS Department before closing of any problems or issues disclosed by the Status Certificate, as you would for condominiums which are not enrolled in the TitlePLUS New Home Program.



Update on Confirmed Lenders

The following are new TitlePLUS
Confirmed Lenders:

- Arnstein Community Credit Union Limited (Ontario – Residential, Commercial, Farm)
- Ontario Civil Service Credit Union Limited (Ontario – Residential, Commercial, Farm)
- Parama Lithuanian Credit Union Limited (Ontario – Residential, Commercial, Farm)

The following Confirmed Lenders have signed supplementary agreements accepting TitlePLUS title insurance for purchase and/or mortgage transactions for commercial and farm properties in Ontario:

- Cataract Savings & Credit Union Limited
- Mennonite Savings and Credit Union (Ontario) Limited
- Peoples Credit Union Limited
- ResMor Trust Company
- Rochdale Credit Union Limited
- St. Willibrord Community Credit Union Limited

The following Confirmed Lenders are now available for TitlePLUS title insurance for collateral/line of credit mortgages on purchase and/or mortgage transactions in Ontario:

- Home Trust Company
- Lambton Financial Credit Union Limited
- Northern Lights Credit Union Limited
- Peoples Credit Union Limited

Please refer to the TitlePLUS Confirmed Lenders page for a complete listing of Confirmed Lenders along with their approved transaction types.



E-mail?

If you did not receive this newsletter via e-mail, please send your name and e-mail address to titleplus@lawpro.ca and we will send all future issues to you via e-mail.

LAWPRO[®]

awarded

sixth annual A (Excellent)
financial strength rating

Lawyers' Professional Indemnity Company (LAWPRO) recently received its sixth annual A (Excellent) financial strength rating from A.M. Best Co., a leading rating agency.

LAWPRO is a wholly Canadian-owned insurer providing a diverse range of insurance-related programs, services, and resources, including title insurance through its TitlePLUS program, to support the legal community in numerous jurisdictions across Canada.

For more information, view the [media release](#).

Hold the Date

The TitlePLUS 2006 Conference, for lawyers and their staff, will occur on **May 17, 2006** in Toronto. Please mark the date on

your calendar and watch for further information.





Only the lawyer for the lender

can obtain TitlePLUS coverage for mortgage lender

The TitlePLUS Department sometimes receives applications for policies insuring mortgage lenders where the lawyer making the application does not act for the lender. This occurs most often (although not exclusively) when private lenders retain their own lawyers, either as a result of the lender's preference or, in Ontario, to comply with Sub-Rule 2.04(12) of the Law Society of Upper Canada's Rules of Professional Conduct.²

Please note that, when a lawyer does not act for a lender, the TitlePLUS Program cannot provide that lawyer with a policy insuring the mortgage lender, because **the lawyer is not providing legal services to the lender**. The lawyer who represents the lender in the transaction should obtain a separate TitlePLUS policy insuring the mortgage.

So, please remember the general rule: **you cannot apply for a TitlePLUS policy for a party for whom you do not act.**

² Sub-Rule 2.04(12) restricts the circumstances in which lawyers can represent both lenders and borrowers. Please see the text of the [Sub-Rule for details](#).

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