



Pending Registration Queue

Torrens System, time sensitive documents,
and exceptions

Overview

The Land Titles Pending Registration Queue (PRQ) provides the option of closing real estate transactions as soon as the Land Titles Office has received the registration documents, so the parties to a transaction do not need to wait until registration is complete. The PRQ guarantees that a party registering an interest in a property maintains their position in the workflow of the Land Titles Office.

If documents are deficient, the Land Titles Office (LTO) will return them to the submitter for correction. Submitters have 30 days from the original deficiency date to correct the documents and complete their registration. They will retain their place in the PRQ.

While priority in the queue is guaranteed even if documents require correction, parties to a real estate transaction should exercise due diligence when submitting documents to avoid the need for corrections, and to ensure their place in the queue is properly noted.

What is the PRQ? – True Torrens System

The PRQ is a complete and true reflection of what is registered on the title and what is being proposed to be registered on title. The PRQ provides increased transparency, thereby supporting the Torrens System's mirror and curtain principles.

Time Sensitive Documents

The PRQ has changed the way in which Land Titles processes time sensitive documents. The new legislation has ensured that time sensitive documents will be treated like all other documents, and will be registered in the order they are received, as long as the DRR is received within the legislated timeframe. Documents previously considered "time sensitive" will no longer be given expedited review priority over the other documents in the DRR.

- If a time sensitive document is correctly submitted to the Land Titles Office, its position on title is guaranteed
- If the submitting party does not confirm Land Titles has received the document, and that the DRR populated correctly in the queue, Land Titles cannot guarantee its priority on the title that is referenced on the document
- It is vital to check the Pending Registration Request Search (PRRL) in SPIN to ensure your time sensitive document was received and is pending on the correct title
- Any time sensitive document registered will have the date received endorsed on title to ensure transparency. This provides confirmation that the document was received within the legislated time frame

Below is the deeming clause in the *Land Titles Act* that supports this change.

Deeming Clause

Sec 14 (7) of the *Land Titles Act* states:

Where, under a court order or enactment, an instrument or caveat must be registered within a specific period of time, the requirements of the court order or enactment with respect to the timing of registration are deemed to have been satisfied when the instrument or caveat is entered in the pending registration queue, unless the instrument or caveat is later removed from the pending registration queue under subsection (6)(a)(ii) or (b)

Guarantee of Priority and Perfection of Interest on Title

LTO will guarantee the priority of your submission if the following requirements are met:

- You have created your Document Registration Request (DRR), ensuring correct document types and Land IDs are entered
- You have submitted your DRR to the Land Titles Office
- You have checked the PRRL to ensure your DRR has been submitted and received by our office
- You have contacted the Land Titles Office if your DRR is not populating the PRQ correctly
- If your documents/DRR is deficient, you have made the corrections within the 30 days, or have requested an extension
- Interest is perfected upon registration

DRRs

If a submitted DRRs requires a modification:

- The DRRs will be made deficient to allow modification and still maintain priority in the PRQ
- If there is a subsequent submission, that submitter will need to consent to the modifications, unless the subsequent submission is a discharge. Consent is not required for discharge submissions.

Documents Not Subject to the PRQ

The following documents will be registered in receipt order, and do not need to wait for prior submissions to clear the PRQ.

- Letter of Road Abandonment
- Miscellaneous Plans
- Monument Plan
- Monumentation Certificate
- Mortgage Standard Form
- National Park Lease
- Notification
- Plan Corrections
- Power of Attorney – General
- Power of Attorney – Revocation
- Railway Plan
- Restricted Development Area Notice
- Right of Way Plan
- Road Closure Bylaw
- Standard Insurable Unit Description
- Tax Arrears List

Temporary Exceptions to the PRQ

The following documents update instrument information, but do not remove or change its priority on title. These documents **may be processed** in an order other than receipt date or as shown in the Pending Registration Queue (PRQ).

- Transfer of Instrument
- Change of Address
- Instrument Change of Name

These documents will be processed regardless of the state of the PRQ. It is recommended that you still include all affected legal Land IDs on your DRR, but your DRR will be processed in the order it was received. As these documents do not effect priority, subsequent submissions will not be required to wait for your DRR to clear the PRQ, before being processed.