

APPENDIX I

Land Titles Act

TARIFF OF FEES REGULATION

Table of Contents

Fees	1
Services for the Crown	2
Transfers and leasehold titles	3
Mortgages and encumbrances	4
Caveats	5
Writs of enforcement	6
Builders' liens	7
Plans	8
New descriptions	9
Tax recovery services	10
Other documents	11
Extra titles	12
Extra cancellations or endorsements	13
Searches and other services	14
Refunds	15
Repeal	16
Expiry	17
Coming into force	18

Fees

- 1** (1) The fees prescribed by this Regulation are
- (a) the fees for the performance of a duty by the Registrar, and
 - (b) the assurance fund fees.
- (2) For each fee, 90% of the total amount is payable as the fee for the performance of the duty specified and 10% of the total amount is payable as the assurance fund fee.

Services for the Crown

- 2** Registrations and searches for the Crown in right of Alberta, other than for
- (a) an agent of the Crown in right of Alberta,
 - (b) a treasury branch,
 - (c) the Minister of Municipal Affairs pursuant to Part 10 of the *Municipal Government Act*, or

TARIFF OF FEES REGULATION

	(d) the Public Trustee.	NIL
Transfers and leasehold titles	<p>3 (1) A notification, transfer, vesting order or application for a leasehold certificate of title</p> <p style="padding-left: 40px;">for each \$5000 or portion thereof of value of the land or interest in land.</p> <p>(2) A leasehold interest in land must be valued at</p> <p style="padding-left: 40px;">(a) the value of the land, including the value of any leasehold improvements that are intended to be made, or</p> <p style="padding-left: 40px;">(b) the amount determined by multiplying 5% of the value of the land as determined in clause (a) by the number of years or part thereof remaining in the term of the lease.</p> <p>(3) A transfer or an order correcting an error in a previous transaction or reversing an aborted sale transaction</p> <p style="padding-left: 40px;">for each \$5000 or portion thereof of additional value, if any.</p>	<p>\$50 plus</p> <p>\$1</p> <p>\$50 plus</p> <p>\$1</p>
Mortgages and Encumbrances	<p>4 (1) A mortgage or an encumbrance that is not otherwise specifically mentioned</p> <p style="padding-left: 40px;">for each \$5000 or portion thereof of principal amount, if any,</p> <p>except if</p> <p style="padding-left: 40px;">(a) the value of the land or interest in land being mortgaged or encumbered in Alberta is less than the principal amount, the fee may be based on the value of the land or interest in land, or</p> <p style="padding-left: 40px;">(b) the maximum amount of the encumbrance is not known or ascertainable, the fee must be based on the value of the land or interest in land being encumbered or on an amount declared by the encumbrancee to be a maximum amount in respect of which security will be claimed, or</p> <p style="padding-left: 40px;">(c) it is a mortgage or encumbrance in which the mortgagee or encumbrancee is the same party as the mortgagee, encumbrancee or transferee under a subsisting registered or caveated mortgage or encumbrance and it is established that the mortgage or encumbrance is</p> <p style="padding-left: 80px;">(i) supplemental or collateral to the registered or caveated mortgage or encumbrance, or</p> <p style="padding-left: 80px;">(ii) a substitute for the registered or caveated mortgage or encumbrance, or</p> <p style="padding-left: 80px;">(iii) being registered against an individual parcel or condominium unit as a partial replacement for the registered mortgage which is a block mortgage applicable to several parcels or condominium units</p> <p style="padding-left: 40px;">for each \$5000 of additional principal amount, if any, or if the fees for the registered or caveated mortgage or encumbrance were originally calculated on the basis of land value, for each \$5000 of the value of additional land or interest in land.</p> <p>(2) The value of the land or interest in land for the purpose of subsection (1) and eligibility under subsection (1)(c) must be established by affidavit submitted at the time of registration or within 180 days after registration if a reduction in the</p>	<p>\$50 plus</p> <p>\$1</p> <p>\$50 plus</p> <p>\$1</p>

TARIFF OF FEES REGULATION

original fee charged is requested, and the value must include the value of any improvements that are intended to be made to form part of the security for the mortgage or encumbrance.

	(3) An encumbrance securing an annuity, rent charge, vendor's lien or purchaser's lien.	\$50
	(4) A mortgage or encumbrance that has been registered or that has been protected by registration of a caveat and for which full fees pursuant to subsection (1) have been paid.	\$50
	(5) An agreement that amends a mortgage or encumbrance by increasing the principal amount secured	\$50 plus
	for each \$5000 or portion thereof of the additional principal amount.	\$1
Caveats	5 (1) A caveat other than a caveat to which section 133 of the <i>Land Titles Act</i> applies.	\$30
	(2) Lapse of caveat.	\$10
Writs of Enforcement	6 (1) A writ of enforcement	\$15 plus
	for each \$5000 or portion thereof of the amount for which the writ was issued.	\$1
	(2) A writ of enforcement that has been registered against other land and for which full fees pursuant to subsection (1) have been paid.	\$15
Builders' Liens	7 (1) A builders' lien other than a builders' lien by a labourer for wages.	\$15
	(2) A builders' lien by a labourer for wages or any document relating to such a lien, including a certificate of <i>lis pendens</i> and discharge and extra endorsements.	NIL
	(3) Lapse of a builders' lien.	\$10
Plans	8 (1) A plan	\$30 plus
	(a) for each parcel created by a plan of subdivision or road plan, including the cancellation, issuance or amendment of certificates of title,	\$10
	(b) for each parcel affected by a right of way plan.	\$2
	(2) A document cancelling, varying or correcting a plan.	\$30
New descriptions	9 Approval of a new parcel description.	\$30
Tax recovery services	10 (1) A tax arrears list.	\$10
	(2) A tax notification endorsement.	\$5
	(3) Mailing of a tax notice.	\$5

TARIFF OF FEES REGULATION

Other documents	11 (1) A notice of change of address - for the first endorsement for each additional endorsement, whether or not the address change is included in one or more notices. (2) Merger of an estate or interest. (3) Issuance of a mineral certificate. (4) Any other document not specifically mentioned which results in a change or amendment of registered ownership or parcel description in a certificate of title. (5) Any discharging document not specifically mentioned. (6) Any other document not specifically mentioned.	NIL plus \$2 \$15 \$10 \$15 \$5 \$10
Extra Titles	12 Each certificate of title issued or affected by a change or amendment of registered ownership or parcel description pursuant to a registration, after the first certificate of title.	\$10
Extra cancellations or endorsements	13 Each cancellation or endorsement pursuant to a registration, after the first cancellation or endorsement.	\$5
Searches and other services	14 (1) In conjunction with a registration service, an electronically-generated certified copy of (a) a certificate of title, (b) a condominium additional plan sheet, (c) a non-patent record sheet. (2) A copy of a cancelled certificate of title produced from microfilm or microfiche. (3) A copy of a document but if provided through a registry agent. (4) A copy of a plan, (a) if it is a paper copy, (b) if it is a digital copy, (c) if it is a mylar copy, (d) if it is requested to be delivered on diskette,	\$10 \$10 \$10 \$10 \$10 \$10 \$3 \$2 \$5 plus \$2 for each square foot in excess of 2 ½ square feet \$1 plus the fee prescribed for each digital copy of a plan

TARIFF OF FEES REGULATION

	(e) if it is requested to be delivered on a CD ROM.	\$10 plus the fee prescribed for each digital copy of a plan
	(5) Certification of a cancelled certificate of title search or a copy of a plan or document.	\$10
	(6) A search sent via manual facsimile transmission, the fee payable for the item searched plus \$1 for each item.	
	(7) For a name search under section 17 of the <i>Land Titles Act</i> where the information provided is in respect of current owners, historical registered owners or current document parties	
	(a) a report indicating that no names were found,	\$2
	(b) a summary list showing title or instrument particulars in respect of names found.	\$12
Refunds	15 The Registrar may authorize the refund of the fee paid for a document that was registered in error or for a search or other service that was provided in error.	
Repeal	16 The <i>Tariff of Fees Regulation</i> (AR 140/87) is repealed.	
Expiry	17 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be re-passed in its present or an amended form following a review, this Regulation expires on June 30, 2005.	
Coming into force	18 This Regulation comes into force on July 2, 2000.	