



Ontario

Ministry of
Consumer and
Commercial
Relations

Registration
Division

Real
Property
Registration
Branch

BULLETIN NO. 89004

DATE: May 22, 1989

TO: All Land
Registrars

Expired Interests

Land Titles Act

Various sections of the Land Titles Act, including sections 78, 80 and 106 authorize the Land Registrar to delete expired or discharged interests on application.

In addition to this authority the obligation to maintain a current title record is integral to the land titles system and subsection 42(1) of Ontario Regulation 75/82 accordingly provides that where the Land Registrar is satisfied that an entry in a register no longer affects the land, the Land Registrar may on his/her own initiative, make a deletion or amendment. This will often assist registrants, and such entries do not have to be carried forward when making re-entries or in data collection for the automated system under Part II of the Land Registration Reform Act, 1984.


Land Registrars are therefore advised that entries of expired and discharged interests (including notices registered under section 74 of the Act and expired easements and rights of way) may be deleted without application. This applies whether or not the Land Registrar may delete such interests on application. Deletions should be marked "deleted" and signed. Requests for deletions by users should be accommodated as time permits. No fee should be charged for such deletions.

Land Registrars should note the following:

- a) expired conditions or covenants cannot be deleted until ten years after their expiration (subsection 118(8) of the Act).
- b) executions should not be deleted without checking carefully for renewals.
- c) records should be reviewed to ensure that all related entries are deleted (postponements, etc.)



 R. Logan,
 Director of Land Registration



 R. Blomsma,
 Director of Titles