



Ontario

Ministry of
Consumer and
Commercial
Relations

Registration
Division

Real
Property
Registration
Branch

BULLETIN NO. 90003

DATE: December 14, 1990.

TO:
All Land Registrars

Cautions Designation
of Matrimonial Home

Land Titles Act
Family Law Act, 1986

A spouse's right to possession of a matrimonial home under section 19 of the Family Law Act, 1986, is not an interest in land and can therefore not be protected by registration of a caution. Land registrars should not accept for registration a caution that is based on this right.


However, it should be noted that pursuant to section 20 of the Family Law Act, 1986, one spouse may unilaterally register a designation of a property owned by the other spouse or both of them as a matrimonial home. This single designation is discussed at paragraph 2 of Bulletin 86001. The last sentence of this paragraph states that the single designation will continue to be shown on the parcel register until it is removed by the spouse who registered it. This sentence is revoked and the following substituted therefore:

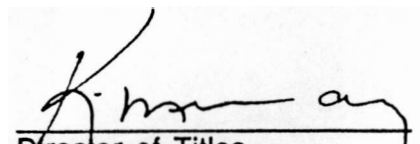
"The single designation, however, will continue to be shown on the parcel register until the registration of,

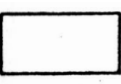
- (a) a cancellation, executed by the person who made the original designation, in the form prescribed by the regulations made under the Family Law Act, 1986; or
- (b) an application to amend the parcel register to delete the designation with the following evidence in support:
 - a decree absolute of divorce or judgment of nullity; or
 - a court order under s. 23 (e) of the Family Law Act, 1986, cancelling the designation or
 - proof of death of one of the spouses.

*Since 1986
only cert. of divorce*

Form 1, Designation of Matrimonial Home and Form 2, Cancellation of Designation of Matrimonial Home, of Ontario Regulation 95/86 made under the Family Law Act, 1986, are attached for your information.


Director of Land Registration
Carol D. Kirsh


Director of Titles
Katherine M. Murray





Document General

Form 4 — Land Registration Reform Act

D

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	(1) Registry <input type="checkbox"/> Land Titles <input type="checkbox"/>	(2) Page 1 of _____ pages
	(3) Property Identifier(s) _____ Block _____ Property _____	Additional: See Schedule <input type="checkbox"/>
	(4) Nature of Document Designation of matrimonial home (Family Law Act, s. 20)	
	(5) Consideration Not applicable ----- Dollars \$-----	
	(6) Description	
New Property Identifiers		
Executions	Additional: See Schedule <input type="checkbox"/>	(7) This Document Contains: (a) Redescription New Easement Plan/Sketch <input type="checkbox"/> (b) Schedule for: Description <input type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input type="checkbox"/>

(8) This Document provides as follows:
(Check appropriate box and strike out inapplicable paragraph)

The parties signing in box 10, who are spouses of each other, designate the property described in box 6 as a matrimonial home.

The party signing in box 10, who is the spouse of _____, (name) designates the property described in box 6 as a matrimonial home.

Continued on Schedule

(9) This Document relates to instrument number(s)
Not applicable -----

(10) Party(ies) (Set out Status or Interest) Name(s)	Signature(s)	Date of Signature Y M D

(11) Address for Service

(12) Party(ies) (Set out Status or Interest) Name(s)	Signature(s)	Date of Signature Y M D
Not applicable -----		

(13) Address for Service Not applicable -----

(14) Municipal Address of Property	(15) Document Prepared by:	Fees and Tax
		Registration Fee
		Total

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Document General
Form 4 — Land Registration Reform Act

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	(1) Registry <input type="checkbox"/>	Land Titles <input type="checkbox"/>	(2) Page 1 of	pages
	(3) Property Identifier(s)	Block	Property	Additional: See Schedule <input type="checkbox"/>
	(4) Nature of Document Cancellation of designation of matrimonial home (Family Law Act, s. 20)			
	(5) Consideration Not applicable ----- Dollars \$ -----			
	(6) Description			
New Property Identifiers				
Executions	Additional: See Schedule <input type="checkbox"/>		(7) This Document Contains:	
	(a) Redescription New Easement Plan/Sketch <input type="checkbox"/>	(b) Schedule for: Description <input type="checkbox"/> Additional Parties <input type="checkbox"/> Other <input type="checkbox"/>		

(8) This Document provides as follows:
(Check appropriate box and strike out inapplicable paragraph)

The parties signing in box 10, who are spouses of each other, cancel the designation by them of the property described in box 6 as a matrimonial home in the instrument referred to in box 9.

The party signing in box 10, who is the spouse of _____, (name) cancels the designation of the property described in box 6 as a matrimonial home in the instrument referred to in box 9. Continued on Schedule

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest) Name(s)	Signature(s)	Date of Signature Y M D

(11) Address for Service

(12) Party(ies) (Set out Status or Interest) Name(s)	Signature(s)	Date of Signature Y M D
Not applicable -----		

(13) Address for Service Not applicable -----

(14) Municipal Address of Property	(15) Document Prepared by:	Fees and Tax
FOR OFFICE USE ONLY	FOR OFFICE USE ONLY	Registration Fee
		Total