

Ministry of Consumer and
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Real Property Registration Branch
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Memorandum

EM199903

To: Land Registrars
From: Margaret Wiseman
Senior Legal & Technical Officer
Date: March 16, 1999
Subject: Notice of Lease of Chattels - Consumers Gas

Canadian Securities Registration Systems, the agent acting on behalf of Consumer's Gas, has advised me that they have encountered some problems when submitting Notice of Lease of Chattels for registration under both the *Registry* and the *Land Titles Acts*.

The *Registry Act* specifically provides for the registration of a Notice of Lease of Chattels and has a prescribed form, Form 11 of Regulation 995. Consumer's is properly using this form to protect their interest.

Under the *Land Titles Act*, a Notice under section 71 is being registered. This notice has been approved and a memo was sent to you in June of 1997 with a copy of the approved document.

The documents should be accepted for registration as long as they are properly completed. I have advised Canadian Securities of the following information that must be included for registration purposes.

REGISTRY

- ▶ Notice of Lease of Chattels in the prescribed Form 11 of Regulation 995.
- ▶ A description of the chattels either set out in the body of the document or as an attached Schedule "A".
- ▶ Where the notice is signed by a power of attorney, the proper recitals as to the power of attorney.
- ▶ The name(s) of the lessee(s) in Box 12 of the Document General.

LAND TITLES

- ▶ Approved Notice of Lease of Chattels under section 71 of the *Land Titles Act*.
- ▶ The original rental agreement attached to the notice.
- ▶ The name or names of the party(s) to the attached agreement set out in Box 12. Note: the name(s) should be as shown on the parcel register, i.e., only the registered owner, or any one of the registered owners can deal with the property.
- ▶ If the Rental Agreement is between Consumer's Gas and a company, a statement that the party executing the agreement has the authority to bind the corporation, or the corporate seal.
- ▶ If the notice is signed by a power of attorney, the proper recitals as to the power of attorney.

M. Wiseman

cc Kate Murray
Patty Ann Valenti
Regional Managers