

Ministry of Consumer and
Commercial Relations
Real Property Registration Br.
3rd Floor
393 University Avenue
Toronto, Ontario
M5G 1E6
Tel: (416) 314-4885
Fax: (416) 314-4878

Ministère de la Consommation et
du Commerce
Direction de l'enregistrement
immobiliers
393, av. University, 3^e étage
Toronto (Ontario)
M5G 1E6
Tél : (416) 314-4885
Télééc : (416) 314-4878



May 25, 1999

MEMO TO: Land Registrars
Electronic Registration Team
Regional Surveyors

EM199906

FROM: Kate Murray
Director of Titles

SUBJECT: **OFFICE OF THE PUBLIC GUARDIAN AND TRUSTEE**

Over the last few months my office has received several questions regarding registrations of orders appointing guardians under the *Substitute Decisions Act* and subsequent registrations dealing with property. This memo is to clarify some of the issues that have been raised.

- ▶ If an order appointing a guardian of property under the *Substitute Decisions Act* is registered, no further order is required.
- ▶ A notarial copy of such an order appointing a guardian is acceptable for registration.
- ▶ If the Public Guardian and Trustee executes a document, no proof of their authority is required.
- ▶ Restrictions under section 118 of the *Land Titles Act* are acceptable for registration if the applicant is legally entitled to act on behalf of the registered owner, e.g., by a power of attorney; by an appointed statutory guardian, etc.
- ▶ Where an estate trustee is appointed by the Court, any section 118 restrictions should be deleted upon registration of a transfer by the estate trustee.
- ▶ If the guardian is someone other than the Public Guardian and Trustee and is transferring the property, a statement from them or their solicitor that the transfer conforms to the management plan is sufficient for registration purposes under the *Land Titles Act*.

This addresses most of the issues that have been raised and this information should assist you in dealing with documents registered pursuant to the *Substitute Decisions Act*. A bulletin will be circulated in the near future. If you have any questions, please call Margaret Wiseman at 314-4885.

cc Ian Veitch
Regional Managers
Head Office Staff
Legal Services
Eric Black, Teranet Land Information Services

A handwritten signature in black ink, appearing to read "K Murray", written in a cursive style.