



THE CANADIAN
BAR ASSOCIATION
British Columbia Branch

November 13, 2020

Sent via email to: Connie.Fair@ltsa.ca

Connie Fair
President and CEO
Land Title and Survey Authority of British Columbia
Suite 200 – 1321 Blanshard Street
Victoria, BC V8W 9J3

Dear Connie Fair,

I write to you on behalf of the members of the Canadian Bar Association, BC Branch's Real Property (Vancouver) Section, Commercial & Real Estate (Vancouver Island) Section and Commercial & Real Estate (Okanagan) Section. CBABC represents over 7000 members of the legal profession in British Columbia.

Concerns have been raised with respect to the launch of the Land Ownership Transparency Registry (LOTR) due to the fact that lawyers will not have access to LOTR before midnight on November 30, 2020.

Firstly, we understand there will be no way to generate the necessary Transparency Declarations and Transparency Reports in advance. This will make it very difficult for lawyers to complete their transactions which are set to close on the 30th particularly those who have multiple closings on that day.

Secondly, with no ability to access the system lawyers and their staff cannot become familiar with the system before the go live date, again making those first few days of the launch difficult as people must learn the system with real files and hard deadlines.

Lastly, the real estate market continues to be very busy and November 30th, being month end, is expected to be the busiest day of the month. This raises a practical worry that LOTR, being a new system, will be experiencing an unusually high amount of volume on its first day because every firm who has closings will be forced to generate, sign and submit their documents all on the same day. If the system is unable to handle the volume that could create even more problems, including potentially having contracts go into default and thus people losing deposits and an opportunity to purchase or sell their home.

To avoid these challenges, we request that lawyers and notaries be given limited access to LOTR prior to November 30th to enable documents to be generated prior to that date. If this is not viable, we request that you please consider other work arounds that would allow documents to be generated prior to November 30th.

Serving the Lawyers of British Columbia

10th Floor, 845 Cambie Street, Vancouver British Columbia, V6B 5T3

tel: 604.687.3404 | toll free: 1.888.687.3404 | fax: 604.669.9601 | toll free fax: 1.877.669.9601 | cba@cbabc.org | cbabc.org

We are happy to provide further assistance as needed and look forward to a smooth roll out of LOTR. Please contact our Executive Director, Kerry L. Simmons, QC, at ksimmons@cbabc.org to facilitate further discussion with the leadership of our Sections who have raised these concerns. We hope to hear from you early next week.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Brun". The signature is written in a cursive, flowing style.

Jennifer Brun
CBABC President 2020/21