

(Consolidated up to 35/2007)

**ALBERTA REGULATION 120/2000
Land Titles Act
TARIFF OF FEES REGULATION**

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Fees

1(1) The fees prescribed by this Regulation are

- (a) the fees for the performance of a duty by the Registrar, and
- (b) the assurance fund fees.

(2) For each fee, 90% of the total amount is payable as the fee for the performance of the duty specified and 10% of the total amount is payable as the assurance fund fee.

Services for the Crown

2 Registrations and searches for the Crown in right of Alberta, other than for

- (a) an agent of the Crown in right of Alberta,
- (b) a treasury branch,
- (c) the Minister of Municipal Affairs and Housing pursuant to Part 10 of the *Municipal Government Act*, or

(d) the Public Trustee, NIL

AR 120/2000 s2;35/2007

Transfers and leasehold titles

3(1) A notification, transfer, vesting order or application for a leasehold certificate of title \$35 plus

for each \$5000 or portion thereof of value of the land or interest in land \$1

(2) A leasehold interest in land must be valued at

(a) the value of the land, including the value of any leasehold improvements that are intended to be made, or

(b) the amount determined by multiplying 5% of the value of the land as determined in clause (a) by the number of years or part thereof remaining in the term of the lease.

(3) A transfer or an order correcting an error in a previous transaction or reversing an aborted sale transaction \$35 plus

for each \$5000 or portion thereof of additional value, if any, \$1

Mortgages and encumbrances

4(1) A mortgage or an encumbrance that is not otherwise specifically mentioned \$15 plus

for each \$5000 or portion thereof of principal amount, if any, \$1

except if

(a) the value of the land or interest in land being mortgaged or encumbered in Alberta is less than the principal amount, the fee may be based on the value of the land or interest in land,

(b) the maximum amount of the encumbrance is not known or ascertainable, the fee must be based on the value of the land or interest in land being encumbered or on an amount declared by the encumbrancee to be a maximum amount in respect of which security will be claimed, or

(c) it is a mortgage or encumbrance in which the mortgagee or encumbrancee is the same party as the mortgagee, encumbrancee or transferee under a subsisting registered or caveated mortgage or encumbrance and it is established that the mortgage or encumbrance is

<p>(i) supplemental or collateral to the registered or caveated mortgage or encumbrance,</p> <p>(ii) a substitute for the registered or caveated mortgage or encumbrance, or</p> <p>(iii) being registered against an individual parcel or condominium unit as a partial replacement for the registered mortgage which is a block mortgage applicable to several parcels or condominium units</p>	<p>\$15 plus</p>
<p>for each \$5000 of additional principal amount, if any, or if the fees for the registered or caveated mortgage or encumbrance were originally calculated on the basis of land value, for each \$5000 of the value of additional land or interest in land</p>	<p>\$1</p>
<p>(2) The value of the land or interest in land for the purpose of subsection (1) and eligibility under subsection (1)(c) must be established by affidavit submitted at the time of registration or within 180 days after registration if a reduction in the original fee charged is requested, and the value must include the value of any improvements that are intended to be made to form part of the security for the mortgage or encumbrance.</p>	
<p>(3) An encumbrance securing an annuity, rent charge, vendor's lien or purchaser's lien</p>	<p>\$15</p>
<p>(4) A mortgage or encumbrance that has been registered or that has been protected by registration of a caveat and for which full fees pursuant to subsection (1) have been paid</p>	<p>\$15</p>
<p>(5) An agreement that amends a mortgage or encumbrance by increasing the principal amount secured</p>	<p>\$15 plus</p>
<p>for each \$5000 or portion thereof of the additional principal amount</p>	<p>\$1</p>
<p>Caveats</p>	
<p>5(1) A caveat other than a caveat to which section 133 of the <i>Land Titles Act</i> applies</p>	<p>\$15</p>
<p>(2) Lapse of a caveat</p>	<p>\$10</p>
<p>Writs of enforcement</p>	
<p>6(1) A writ of enforcement</p>	<p>\$15 plus</p>
<p>for each \$5000 or portion thereof of the amount for which the writ was issued</p>	<p>\$1</p>
<p>(2) A writ of enforcement that has been registered against other land and for which full fees pursuant to subsection (1) have been paid</p>	<p>\$15</p>

Builders' liens

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|--|------|
| 7(1) A builders' lien other than a builders' lien by a labourer for wages | \$15 |
| (2) A builders' lien by a labourer for wages or any document relating to such a lien, including a certificate of lis pendens and discharge and extra endorsements | NIL |
| (3) Lapse of a builders' lien | \$10 |

Plans

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| 8(1) A plan | \$30 plus |
| (a) for each parcel created by a plan of subdivision or road plan, including the cancellation, issuance or amendment of certificates of title | \$10 |
| (b) for each parcel affected by a right of way plan | \$2 |
| (2) A document cancelling, varying or correcting a plan | \$30 |

New descriptions

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| 9 Approval of a new parcel description | \$30 |
|---|------|

Tax recovery services

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|---|------|
| 10(1) A tax arrears list | \$10 |
| (2) A tax notification endorsement | \$5 |
| (3) Mailing of a tax notice | \$5 |

Other documents

- | | |
|---|----------|
| 11(1) A notice of change of address - for the first endorsement | NIL plus |
| for each additional endorsement, whether or not the address change is included in one or more notices | \$2 |
| (2) Merger of an estate or interest | \$15 |
| (3) Issuance of a mineral certificate | \$10 |
| (4) Any other document not specifically mentioned which results in a change or amendment of registered ownership or parcel description in a certificate of title | \$15 |
| (5) Any discharging document not specifically mentioned | \$5 |
| (6) Any other document not specifically mentioned | \$10 |

Extra titles

12 Each certificate of title issued or affected by a change or amendment of registered ownership or parcel description pursuant to a registration, after the first certificate of title, \$10

Extra cancellations or endorsements

13 Each cancellation or endorsement pursuant to a registration, after the first cancellation or endorsement, \$5

Searches and other services

14(1) In conjunction with a registration service, an electronically-generated certified copy of \$2

(a) a certificate of title, \$2

(b) a condominium additional plan sheet, \$2

(c) a non-patent record sheet, \$2

(2) A copy of a cancelled certificate of title produced from microfilm or microfiche, \$2

(3) A copy of a document \$5

but if provided through a registry agent, \$3

(4) A copy of a plan, \$3

(a) if it is a paper copy, \$3

(b) if it is a digital copy, \$2

(c) if it is a mylar copy, \$5 plus \$2 for each square foot in excess of 2 1/2 square feet

(d) if it is requested to be delivered on diskette, \$1 plus the fee prescribed for each digital copy of a plan

(e) if it is requested to be delivered on a CD ROM, \$10 plus the fee prescribed for each digital copy of a plan

(5) Certification of a cancelled certificate of title search or a copy of a plan or document,	\$2
(6) A search sent via manual facsimile transmission, the fee payable for the item searched plus	\$1 for each item
(7) A duplicate of a master roll (1000 documents) of microfilm	\$50
(8) For a name search under section 17 of the <i>Land Titles Act</i> where the information provided is in respect of current owners, historical registered owners or current document parties	
(a) a report indicating that no names were found	\$2
(b) a summary list showing title or instrument particulars in respect of names found	\$12

AR 120/2000 s14;251/2001;108/2003

Refunds

15 The Registrar may authorize the refund of the fee paid for a document that was registered in error or for a search or other service that was provided in error.

Repeal

16 The *Tariff of Fees Regulation* (AR 140/87) is repealed.

Expiry

17 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on June 30, 2011.

AR 120/2000 s17;354/2003

Coming into force

18 This Regulation comes into force on July 2, 2000.