



# Residential Search Guidelines

## Search Guidelines

### Searches For All Transactions:

Search	Requirements
Title Search*	<p><b>Purchase transaction:</b> Review instruments (including deleted) and any “subject to” interests appearing on the parcel register. <i>Land in the registry system requires a full 40 year search.</i></p> <p><b>Refinance transaction:</b> Review instruments (including deleted) and any “subject to” interests appearing on the parcel register from the last arm’s length transfer, including a review of the land transfer tax affidavit for any assumed mortgages.</p>
Executions*	Current vendor and/or borrower within 14 days of closing (or 10 business days).
Realty Taxes and Utilities (which can form a lien)	Verbal confirmation of payment or undertaking from the vendor. Declaration from borrower acceptable for refinance.
Vacant Home/Unit Tax (Toronto and Ottawa)	Confirmation the prescribed declaration was filed with the city and tax not payable or payment has been made, by reviewing the filed declaration, receiving a statutory declaration from seller/borrower, or reviewing a tax certificate showing this information.
Corporate Registry Search	Only required if you don’t know your client. Activity within the last 12 months must be disclosed. <i>Searches within 30 days of closing.</i>

\*If the title and execution searches are completed more than 60 days prior to closing, an update confirming no new registrations must be conducted or a confirmation that the last registered instrument search on the day of closing is not the same as the day of the title search.

## Greater Sudbury Area

The Company has identified properties located in the Greater Sudbury area where coverage available differs from other areas.

A building control search (property request search) must be conducted for any outstanding notice of violation or deficiency notice, work orders and adverse circumstances disclosed by a Local Authority Search, (including but not limited to open building permits and lack of inspections/occupancy certificates) to be eligible for coverage under an endorsement capping the liability at \$10,000. If the search is not completed, we will add an exception to the policy.

## Additional Property Specific Searches For Owner's Policies Only:

Property Type	Search Requirements
Condominium	Status certificate dated within 60 days of closing (verbal update acceptable up to 90 days).
Planning Act Compliance	Name search only for current registered owners of abutting land, if applicable. <i>Not required for a refinance transaction.</i>
Conservation Authority Protection	Local conservation authority search within 60 days of closing.
Multi-Units (2-6 units)	Building, zoning compliance and municipal work orders. Fire department search for work orders. <i>Searches within 30 days of closing.</i>
Live/Work Dwelling	
Rooming/Student House (up to 6 rooms for rent)	

Although a search may not be required in order to issue a policy, you should consider if the results may be useful to your client.

You must advise Chicago Title of any adverse matters that were not revealed by any required searches, if any of the searches were not conducted, or if the search is older than what is required above. Failure to conduct a required search may result in an exception being listed on the policy.



## More Information

### **Vacant land is treated differently**

An owner's policy will contain an exception as to the failure of the land to include a single family dwelling or condominium unit.

### **Endorsements for non-urban properties**

The Septic System Endorsement is automatically attached to all policies for properties that are serviced by a septic system—no additional questions or searches are required. The Water Potability Endorsement is attached to all lender policies where water comes from a non-municipal source. The endorsements should be consulted for specific coverage.

### **A survey is not required for coverage**

Full survey coverage is provided with every residential policy. If a survey is available and discloses defects, then they must be brought to the attention of Chicago Title so they can be underwritten accordingly. Although a survey is not required, it may be useful to obtain depending on the circumstances of the transaction.

### **Ordering an Existing Owner Policy**

A copy of the parcel register together with the value of the land from an appraisal or realty tax bill is required to order an existing owner policy.

### **Transaction Protection Endorsement**

The Transaction Protection Endorsement may be purchased as part of the title insurance policy for an owner and/or lender and protects against loss or damage relating to errors or omissions of the solicitor in the residential real estate transaction. The endorsement should be consulted for the scope of coverage.

### **Exception on policies for private lenders**

We consider a private lender to be any lender which is not a chartered bank, trust company, credit union, insurance company or mortgage finance corporation. We expect funds from a transaction for a private lender to be disbursed directly to the borrower or to one of the permitted parties listed in our exception. By following our private lender instructions you are helping protect you and your client against fraud.

### **Indigenous lands**

We have additional questions that must be answered and an underwriter will contact you for copies of the title search, the agreement of purchase and sale (if a purchase), the head lease and any subleases. Additional premiums apply for Indigenous lands.

### **Unregistered hydro easement searches**

A search for unregistered hydro easements is required only when there is reason to suspect that an unregistered hydro easement might exist (i.e. one is shown on a survey, hydro towers or boxes are known to be located on the property, etc.).



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This document is intended to provide general information on title insurance. For specific details regarding policy coverage, exceptions and exclusions, please contact us for copies of the complete title insurance policy. Known title and survey defects are subject to underwriting review and approval.