The Land Titles Act (ON)

Scope & Application

- The **Land Titles Act (LTA)** governs land registration in Ontario, ensuring secure ownership and dispute resolution.
- Applies to designated parts of Ontario via **land titles divisions**, which remain unchanged by electoral/municipal boundary adjustments (s. 4).
- The **Director of Land Registration** oversees land registry offices (s. 8).

Types of Titles

1. **Absolute Title**: Grants fee simple ownership, free from encumbrances (s. 45).
2. **Qualified Title**: Includes exceptions (e.g., unresolved claims) noted in the register (s. 37).
3. **Possessory Title**: Protects against adverse possession claims; allows upgrades to absolute/qualified titles (s. 47).

Registration Process

- **First Registration**: Requires title examination, notice to interested parties, and Director of Titles approval (s. 41).
- **Amendments**: Entries corrected for errors (e.g., misdescriptions, fraud) or legal changes (s. 75).
- **Fee Records**: All fees/instruments must be recorded in approved formats (s. 7).

Transfers & Charges

- **Transfers**: Registered owners may transfer land; transferees gain rights subject to registered encumbrances (s. 87).
- **Charges**: Mortgages/liens require registration. Chargees with a power of sale may register land sales (s. 99).
- **Leasehold Interests**: Registered leasehold land must meet criteria (e.g., no prohibitions on alienation) (s. 38).

Easements & Encumbrances

- Easements are registered per the Director’s requirements (s. 39).
- Encumbrances (e.g., taxes, liens) are noted on the register (s. 106).

Fraud & Error Remedies

- **Land Titles Assurance Fund**: Compensates individuals wrongfully deprived of land due to fraud/errors (s. 57).
- Fraudulent instruments may trigger deletions from the register (s. 80).

Special Provisions

- **Adverse Possession**: Prohibited for land under the LTA (s. 51).
- **Language Requirements**: Non-English instruments require certified translations (s. 84).
- **Land Surveys**: The Director may mandate surveys for title accuracy (s. 56).

For specific scenarios (e.g., condominium easements, leasehold upgrades), consult detailed sections (e.g., s. 40 for condos).

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