

HINTS & TIPS FOR AFR

General

- Prior to submitting AFR, check the description(s) in the ownership document(s). Is the entire parcel described? There have been numerous cases when a parcel has been consolidated and only the deed for the addition parcel is shown on the AFR.
- Ensure that all benefits and burdens being certified to in the AFR are in the description
- Any benefit or burden in the PDCA being described only by book/page reference must have a corresponding reference in the AFR enabled by the same book/page

Registered Owners

Submit AFR in owners' current names

- POL may or may not have correct names
- If owner names being submitted are not the same as POL, a comment must be provided. Doesn't need to be a lengthy explanation, acknowledgment of the differences is sufficient
 - Mary Smith is now married and goes by Mary Jones
 - George Smith has been removed as a deceased Joint Tenant

Estate of

- Do not show deceased owner on AFR
- Bring in Personal Rep or beneficiary enabled by the probate document
- Exception – If Probate hasn't been opened, bring in deceased owner with a qualifier "Estate of" enabled by the deed with a Textual Qualification stating that Probate hasn't been opened

Last Conveyancing Document

- Last conveyancing document shown on POL must be used as an enabling document for a registered owner or a comment must be provided

Carrying on Business & Trust names do not hold title

- Show the names of registered owners or the names of the trustees

Possessory Title

- Show all documentation on the AFR on which possession is based. This may be a combination of deed(s) and statutory declarations
- Do not put statutory declarations in TQ. They must be shown as enabling instruments in the Registered Owner section

Benefits & Burdens

- Submitters are required to show Servient PIDs when entering benefits
- Benefits and burdens not being certified to should not be in the description
- Utility easements should indicate the current name of the utility
- Acceptable entries for burdens
 - Individual or Enterprise name
 - PID
 - Various Owners or Various PIDs
 - Subject to Restrictive Covenants
 - Subject to Protective Covenants
 - Subject to Building Restrictions
 - (Subject to) General Utility easement, Owner Unknown
- Benefits & Burdens shown on plans and not referenced in any document may be entered as “Unregistered Interests”

Textual Qualifications

- Easements – Make it clear if you are certifying to the easement
 - Certifying, the easement goes in the description
 - Not certifying, the easement doesn't appear in the description
- If you have an interest holder, interest type and document, then the easement must be shown in the appropriate section of the AFR
- Statements made in TQs must clearly identify the effect on the parcel
- Easements shown on plans should be entered as “Unregistered Interests” on the appropriate section of the AFR.
 - Only enter the easement as a TQ if the TQ is giving more information than shown in the description
- If the TQ deals with parcel access, make sure your access does not conflict with the AFR.
- *See samples of TQs attached*

Recorded Interests

- Refer often to “Showing Certain Interests on the AFR” document
- Confirm the interest type matches the document type