



Federation of Ontario
Law Associations
Fédération des associations
de barreau de l'Ontario

*"The Voice of the
Practising Lawyer
in Ontario"*

731 9th Street West,
Owen Sound, ON
N4K 3P5

(519) 270-4001

www.fola.ca

September 18, 2025

SENT VIA EMAIL

Lawyers' Professional Indemnity Company (LAWPRO)
Suite 3101
250 Yonge Street
Toronto, ON M5B 2L7

Attention: Mr. Ray Leclair, Vice President, Public Affairs

Dear Mr. Leclair:

Re: Protection Against Real Estate Instruments Withdrawn by Land Registrar for Non-Responsive Actions

The Director of Titles for Ontario (the "**Director**") has issued Bulletin 2025/03 on June 19, 2025 (the "**Bulletin**"), a copy of which is attached to this letter. Essentially, the Director has put solicitors on notice that instruments submitted to the Land Registry Office ("**LRO**") through Teraview may be returned for correction or withdrawal for any reason where the LRO believes the instrument is non-compliant with the rules of the system, whether those are statutory or policy based. The licensee/lawyer will have seven (7) days to respond, failing which the instrument will be withdrawn.

A few months ago, the Director confirmed that the LRO will not call licensees in connection with a return or withdrawal. Each licensee must register a single email address for the purpose of such contact. Under the Bulletin, invalid instruments will now only be returned via that sole email provided by the Teranet licensee. If for any reason, the licensee who registered the interest fails to respond to the LRO's request for correction, inquiry, amendment or otherwise, the instrument will be withdrawn from the system.

If an instrument is withdrawn, it was deemed never to have been submitted for registration at all. In situations where multiple instruments have been registered concurrently or in sequence, this could have a catastrophic effect on various subsequent transactions and registrations.

In some cases, solicitors may not be responsive within the seven (7) days that are given for a response, either due to vacation, incapacity or simply failing to review and consider the interest within the time allocated. The Rules of Professional Conduct prohibit solicitors from sharing

their Teranet license, password or credentials and this prohibition is also a term of the Ministry of the Attorney General licence to use Teraview. As such, at this point in time these communications would only be deliverable back to the registering solicitor. We have raised this with the Director, but presently, the Teraview system only allows for one email address to be assigned to a Teranet licensee.

If an instrument is withdrawn on the basis that a solicitor was unable to respond within the required time frame, we are hopeful that this event would be a risk covered under the existing professional indemnity insurance for lawyers practising real estate but ask you to please confirm same.

Moreover, this may require an interim alert or announcement to real estate solicitors in Ontario of ways to work through this issue so as to minimize the potential for such claims, such as establishing email rules so that emails from the LRO notification system can be automatically forwarded to support staff or colleagues, who in turn can advise the LRO of the absence or need for more time to respond. We are looking into possible other interim options that may be available.

We are hopeful that LawPRO's coverage, together with awareness of this issue to title insurers and an education campaign with PracticePRO and FOLA, may be prudent until the Teraview system allows for multiple email contacts per licensee.

Your advice, recommendation and action is appreciated.

Yours very truly,



Mark R. Giavedoni
Chair, Real Estate Committee
Federation of Ontario Law Associations

MRG/ar

cc. Cara O'Hagan, Executive Director, Policy, Equity and External Relations, Law Society of Ontario