



DIRECTIVE
Real Property Registry

SECTION: Subsequent Documents

NUMBER: 5400-001

SUBJECT: Judgments

PURPOSE This directive defines the process for registration, renewal and withdrawal or removal of a judgment affecting registered lands in Land Titles

REFERENCE *Section 40 to 46 and Section 69(a) Land Titles Act*
Section 5 & 6 Memorials & Execution Act

DIRECTIVE

Registration:

An application to register a Memorial of Judgment may be done with the filing of an application (Form 34) specifying the affected PID(s), with an attached copy of the memorial of judgment.

While a memorial of judgment is registered and remains in force it binds the interest of the judgment debtor in the registered lands for five years from the date of registration.

Renewal:

If the judgment remains unsatisfied, the same procedure may be repeated for a renewal. There is no need to go back to the court to have a certified copy of the original judgment, as is the case for renewal under the Registry Act.

If a judgment is renewed within the previous five-year period, the former registration will not be cancelled and will remain as an encumbrance to demonstrate continuity, since the renewal relies on the previous one to uphold priority.

Withdrawal:

If the judgment is satisfied, the Judgment Creditor may withdraw the judgment as prescribed in Section 44, using Form 36.1.

Note:

If a judgment is not renewed or withdrawn, then it shall remain as an encumbrance on the registered lands until an application is made to satisfy the registrar that the judgment should be cancelled as prescribed in Section 69(a).