

## 2022 ICSC Canadian Law Conference Roundtable

### TITLE AND OFF-TITLE MATTERS FOR LANDLORDS AND TENANTS

#### Why does this due diligence matter and what information is available to you?

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The following is a list of the types of searches available from governmental authorities having jurisdiction over a property. It is not intended to be an exhaustive list.

Title Searches	Corporate Searches	
<ul style="list-style-type: none"> <li>• Financial Encumbrances</li> <li>• Lease-related Registrations</li> <li>• Easements &amp; Rights of Way</li> <li>• Municipal Agreements</li> <li>• Construction Liens</li> <li>• Writs/Execution Searches</li> <li>• Miscellany</li> </ul>	<ul style="list-style-type: none"> <li>• Corporate Profile</li> <li>• Certificate of Status</li> <li>• Business Names Search/Other Ownership Structures</li> <li>• Personal Property Security Act</li> <li>• Bankruptcy</li> <li>• Executions</li> </ul>	
Off-Title Searches		
<ul style="list-style-type: none"> <li>• Tax Certificates</li> <li>• Utility Certificates</li> <li>• Building &amp; Zoning Reports</li> <li>• Building/Zoning etc.</li> <li>• Municipal Agreement Compliance</li> <li>• Municipal Hydro (unregistered easements)</li> <li>• Hydro One Networks Inc. (unregistered easements)</li> </ul>	<ul style="list-style-type: none"> <li>• Hydro Arrears</li> <li>• Gas Arrears</li> <li>• Water/Waste Arrears</li> <li>• Electrical Safety Authority</li> <li>• Conservation Authority</li> <li>• Status (Estoppel) Certificate</li> <li>• Fire Department (need Owner's authorization)</li> <li>• Health Department (need Owner's authorization)</li> </ul>	<ul style="list-style-type: none"> <li>• Ministry of the Environment FOI</li> <li>• Record of Site Condition</li> <li>• Technical Standards and Safety Authority               <ul style="list-style-type: none"> <li>○ Elevators</li> <li>○ Fuels Safety Branch</li> <li>○ Boilers</li> </ul> </li> <li>• Cemeteries/Burial Grounds</li> <li>• Ministry of Culture</li> <li>• Municipal Heritage</li> </ul>