



FEDERATION OF ONTARIO
LAW ASSOCIATIONS
FÉDÉRATION DES ASSOCIATIONS
DU BARREAU DE L'ONTARIO

April 1, 2020

Dear Real Estate Representatives,

In an effort to keep real estate lawyers updated with the ever-changing situation, we have further information to be shared with the real estate lawyers in your association.

LRO Notice to Clients

The provincial government has issued a Notice to Land Registration System Clients confirming that Teraview continues to run for both search and registration, OnLand continues to run for search and various request functions, and that the all land registry offices are scheduled to be open from Monday to Friday from 9:30am to 12:00pm.

The Notice can be found in English and French on our website [here](#).

Law Society CPD

The replay of the Law Society free audio webcast from Friday, March 27 entitled “Your Real Estate Practice and the COVID-19 Pandemic: What You Need to Know Right Now” is now available.

The link to the audio program is [here](#) and the link to the resource materials is [here](#).

Lawyer Done Deal Remote Signing

Lawyer Done Deal has created a remote signing portal for lawyers where you can post documents to clients, host virtual closing meetings and view client signing activity, all while meeting social distancing and legal obligations. This portal is being offered **free to all lawyers**, whether or not you already have a LDD or RealtiWeb account.

They are also working on including a client verification element that will be Fintrac compliant. More information is available on the LDD website [here](#).

Expiry of Drivers Licences and Passports

What happens if a client's ID has recently expired or will expire this month? Renewals of passports and driver's licences are currently suspended, so clients will not be able to get new ones while this pandemic continues.

The Ontario government has extended the validity and expiration date of driver's licences and Ontario Photo Cards. See [here](#) for more details. We think this means that you should still be able to accept an Ontario driver's licences as valid identification, even if the expiry date has passed.

Information on the Government of Canada Passport Services can be found [here](#).

Tarion

A new Tarion Advisory was published on March 26 in response to the Emergency Order passed by the provincial government suspending limitation periods. Tarion has suspended all warranty claim submission deadlines – the 30 day, year end, second year, major structural defect, delayed closing, financial loss and deposit claims deadlines have all been suspended. Once the Emergency Order has been lifted, homeowners will receive a reasonable extension to submit their forms. Tarion has also suspended timelines relating to builder repair periods, except for emergencies or health and safety issues.

The March 26, 2020 Tarion Advisory can be found [here](#).

Letter to MCAP

FOLA's letter of March 26, 2020 regarding MCAP's recent decision to close all refinance transactions through either FCT or FNF is posted on our website [here](#).

Working Group Fees, Disbursements & Taxes Calculator

Given the additional work that lawyers and their staff are doing in order to complete transactions during these challenging circumstances, many lawyers might be reviewing the amount of legal fees they are charging.

The Working Group on Lawyers and Real Estate has a **Suggested Fee Schedule**, which can be found [here](#).

In addition, they have now added a **Fees, Disbursements & Taxes Calculator** on their website which can be accessed [here](#).

This new calculator does many things, simply by answering a few questions.

Once you enter the value of the transaction, if you indicate your quoted fee, it will compare it to the suggested fee schedule, as a % of all costs and to the HST on the real estate agent's fees, which is great for marketing.

It will also:

- calculate the LTT
- calculate the MLTT (for Toronto properties)
- calculate the first-time homebuyer rebates for LTT & MLTT
- calculate the NRST (for GGH properties)
- estimate the disbursements (suggestions provided but fully editable on the disbursements tab)
- calculate for a purchase, a sale or a mortgage-only transaction
- provide a personalized 2-page printout of the summary and estimates disbursements, which can be reviewed with or emailed to clients

If and when we receive further information of interest to the real estate bar, we will pass it along.

Merredith MacLennan and Eldon Horner
FOLA Real Estate Co-Chairs

Please note: The information provided herein is of a general nature only and is not intended to provide legal advice.