



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

September 1, 2022

Dear Real Estate Representatives, Presidents and Library Staff,

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.

Bulletin 2022-02—National Day for Truth and Reconciliation

Please note that the Teraview system will be up and running on September 30, 2022, the National Day for Truth and Reconciliation. Please note that many banks will be closed that day, so please be mindful of this as you try to schedule and coordinate closing transactions. The bulletin can be accessed [here](#).

Mortgage Discharge Guidelines

The most recent guidelines on mortgage discharges from the Law Society are from 1993 and are outdated. The Law Society has indicated an interest in reviewing those guidelines in light of significant changes to the practice of real estate since then. Preliminary discussions are starting and FOLA will be monitoring the progression of same.

Know Your Client Rules and Bylaw 7.1

Effective January 1, 2022, the Law Society implemented amendments to Bylaw 7.1 which requires lawyers to identify and verify their clients upon engagement and in the use of a trust account. This includes confirming the source of client funds, periodically monitoring the relationship when engaged in ongoing financial transactions, keeping required records and mandating withdrawal of representation in certain circumstances. The summary of these requirements can be found [here](#). These amendments were to integrate with the recommendations of the Federation of Law Societies of Canada.

These enhanced rules will impact real estate lawyers specifically as our engagement is routinely to facilitate the transfer of funds for our clients.

Reminder – DRA has been updated

The Document Registration Agreement and Multi-Party Document Registration Agreement have been updated and published on the Law Society of Ontario's website. The updated DRA and Multi-Party DRA are available in word [here](#). We encourage you to review and implement the updated DRA and Multi-Party DRA on your files and in your correspondence when you refer to same to be incorporated by reference.

Reminder—Teranet Annual Fee Increase

Effective November 1, 2022, Teranet will be set to increase its costs for certain land registration services. A bulletin confirming these will be circulated in the coming months, but please plan accordingly.

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

Stay up to date with FOLA's real estate information at <https://fola.ca/real-estate-law>.

Mark Giavedoni
FOLA Real Estate Chair

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