



REQUEST FOR COMMERCIAL TITLE INSURANCE
FOR TRANSACTIONS OVER \$25 MILLION
ONTARIO

To: FCT Date:
Attention: Commercial Solutions Tel: 905.287.3112 / 1.866.804.3112
Fax: 905.287.1009 / 1.866.566.8599
Your File No. Email: commercialsolutions@fct.ca

ORDERING LAW FIRM INFORMATION: Acting for: Purchaser/Borrower Lender
Solicitor/Notary: Contact:
Law Firm:
Address: (new customers only)
Email Address:
Telephone Number: Fax Number:

ADDITIONAL LAWYERS INVOLVED IN THE TRANSACTION: Acting for: Purchaser/Borrower Lender
Solicitor/Notary: Contact:
Law Firm:
Address:
Email Address:
Telephone Number: Fax Number:

POLICIES REQUIRED

Loan Policy Owner's Policy FCT Reference # (if we provided you with a quote)

TRANSACTION INFORMATION

Closing Date: Purchase Price: \$
MM/DD/YYYY

Property Purchase Property Purchase and Mortgage Share Purchase Cannabis Deal
Energy Deal New Mortgage/Refinance CMHC Insured, Number of Units (if CMHC insured)

Interest Held: Fee Simple Leasehold\* Easement
Property Type: Apartment Building Bed and Breakfast Church Gas Station/Garage Hotel/Motel
Industrial Building Office Building Restaurant/Bar Condo Retirement Home
Trailer Park Medical Practice Educational Facility Salon/Aesthetics
Mixed Use (commercial with residential) Retail First Nations Land
Vacant Agricultural Land (income generating)\*\* Agricultural Land (income generating) with Residential Home
Vacant Land (non-farm)\*\* Other (please specify)

Would you like to add the Deal Protection coverage? (additional premium applies) Yes No

Has an order for this transaction previously been placed with another title insurer? Yes No

May we contact any additional lawyer/notary involved in this transaction? Yes No

\* If Leasehold, please provide name of Landlord and Lease registration particulars
Please provide term of lease

\*\*For corporations only, please provide Corporation Document List and Corporate Profile of Purchaser/Borrower and Vendor

PROPERTY INFORMATION

Municipal Address:

Legal vehicular and pedestrian access to the property is via: or Unknown

P.I.N.: (LT) (R)

Legal Description:



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Does the legal description contain any reference to together with rights of way or easements? [ ] Yes [ ] No

Is the property contiguous? [ ] Yes [ ] No If no, please provide details: \_\_\_\_\_

Does the legal description describe the same property as that identified by the assessment roll number? [ ] Yes [ ] No

Additional properties (attach schedule if necessary):

Municipal Address: \_\_\_\_\_

Legal vehicular and pedestrian access to the property is via: \_\_\_\_\_ or [ ] Unknown

P.I.N.: \_\_\_\_\_ (LT) [ ] (R) [ ]

Legal Description: \_\_\_\_\_

Does the legal description contain any reference to together with rights of way or easements? [ ] Yes [ ] No

Is the property contiguous? [ ] Yes [ ] No If no, please provide details: \_\_\_\_\_

Does the legal description describe the same property as that identified by the assessment roll number? [ ] Yes [ ] No

PURCHASER/MORTGAGOR INFORMATION

Purchaser/Mortgagor Name: \_\_\_\_\_

Address for Service: \_\_\_\_\_

Beneficial Owner (if applicable): \_\_\_\_\_

Has the Beneficial Owner consented to this transaction? [ ] Yes [ ] No

Are you acting for the Purchaser/Mortgagor? [ ] Yes [ ] No

If mortgagor is a Corporation has a notice of change been filed within the past 12 months that changes the Officers, Directors or Shareholders?

[ ] Yes\* [ ] No

\*If yes please provide copy of Notice of Change and Corporate Profile.

MORTGAGE INFORMATION (If an additional mortgage is to be insured, provide the same details in a schedule)

Mortgagee: \_\_\_\_\_

Custodian (if applicable): \_\_\_\_\_

Address for service: \_\_\_\_\_

Mortgage Amount: \$ \_\_\_\_\_ Insured Amount: \$ \_\_\_\_\_ Mortgage Reference No. \_\_\_\_\_

Priority: [ ] 1st [ ] 2nd [ ] 3rd Other \_\_\_\_\_

Would you like to add the extended Super Priority Liens coverage? (additional premium applies) [ ] Yes [ ] No

Would you like to add the Post-Policy Date - Encroachments, Restrictions & Work Orders coverage? (additional premium applies) [ ] Yes [ ] No

Does the Loan Agreement allow for the following? [ ] Construction Advances [ ] Subsequent Advances up to Amount of Insurance

[ ] Subsequent Advances exceeding Amount of Insurance [ ] Revolving Credit Facility [ ] Variable rate of Interest

PURCHASE TRANSACTIONS

1. If a survey or reference plan is available, does it reveal any defects? [ ] Yes\* [ ] No [ ] Unavailable

\*If Yes, please provide the details: \_\_\_\_\_

Does a physical inspection of the property reveal persons in possession or using any portion of the land?

(e.g. unregistered lease or driveways servicing other lands)

[ ] Yes\* [ ] No

\*If Yes, please provide the details: \_\_\_\_\_

2. Are you getting a Declaration of Possession or Statutory Declaration? [ ] Yes\* [ ] No

(\*If Yes, please send a copy for our file)

3. Please provide the name and phone number of the Real Estate Agent involved in this transaction.

Company/Agent Name: \_\_\_\_\_ Telephone Number: (\_\_\_\_) \_\_\_\_\_

[ ] No Agent (please send a copy of the Agreement of Purchase and Sale and title.)

4. Was any portion of the deposit paid directly to the vendor? [ ] Yes\*\* [ ] No

(Do not answer "Yes" if the deposit was paid to the vendor's solicitor and is retained in his trust account)



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5. Have there been any Amendments with respect to the purchase price and/or deposit after the date of signing the Agreement of Purchase and Sale, which exceed the sum of \$30,000.00? [ ] Yes\*\* [ ] No

6. Is there a mortgage on title that will be paid out with the sale proceeds? [ ] Yes [ ] No
a. Is the mortgage to be paid out held by a private lender? [ ] Yes [ ] No
b. Will you have the discharge available on closing? [ ] Yes [ ] No

7. Are the net mortgage proceeds (after payments to any secured or unsecured creditor for which there is evidence of a debt) being paid by lender's borrower's or vendor's counsel to all registered owners? [ ] Yes [ ] No\* [ ] No Net Proceeds

8. Are any Vendors signing by way of Power of Attorney? [ ] Yes\*\* [ ] No

9. Have there been any transfers of title/conveyances or discharges of mortgages registered within the last 6 months? [ ] Yes\*\* [ ] No
(Please ensure that the PIN Page you obtain for your search includes all deleted instruments)

10. If the property is a condo, does the status certificate indicate any adverse matters that will not be clear on closing?
[ ] Yes\* [ ] No [ ] Unknown

11. Name of Vendor's Solicitor (Firm and Lawyer Name): \_\_\_\_\_ Phone number: \_\_\_\_\_

MORTGAGE ONLY TRANSACTIONS (not in conjunction with a purchase)

1. Are any of the borrowers signing by way of Power of Attorney? [ ] Yes\*\* [ ] No

2. Will a portion of the proceeds be used to pay out all existing mortgages? [ ] Yes [ ] No
a. Is the mortgage to be paid out held by a private lender? [ ] Yes [ ] No
b. Will you have the discharge available on closing? [ ] Yes [ ] No

3. Are the net mortgage proceeds (after payments to any secured or unsecured creditor for which there is evidence of a debt) being paid by lender's or borrower's counsel to all registered owners? [ ] Yes [ ] No\* [ ] No Net Proceeds

4. Have any transfers of title/conveyances or discharges of mortgage been registered within the last 6 months, including transfers of title registered immediately prior to this mortgage? [ ] Yes\*\* [ ] No
(Please ensure that the PIN Page you obtain for your search includes all deleted instruments)

5. If the property is a condo, does the status certificate indicate any adverse matters? [ ] Yes\* [ ] No

\*Please provide an explanation if applicable and attach pertinent documentation to this order (PIN Page, Survey, Status Certificate, Direction re Funds, Statement of Adjustments)

\*\*Please attach the Agreement of Purchase and Sale with all amendments, PIN Page and Power of Attorney, as applicable

SEARCH AND OFF TITLE INFORMATION

1. Will taxes be paid up to date on closing? [ ] Yes [ ] No [ ] Unknown

2. To the extent utilities form a lien, will they be paid up to date on closing? [ ] Yes [ ] No [ ] Unknown

3. Are there any unregistered commercial leases or agreements to lease? [ ] Yes [ ] No [ ] Unknown

4. Have all agreements, restrictive covenants and conditions been complied with? [ ] Yes\* [ ] No

If no, please provide details: \_\_\_\_\_

If yes, please provide evidence

5. List details of all registered instruments or other matters affecting the property (or attach the parcel register), including but not limited to easements, restrictive covenants, development agreements, etc.

Table with 3 columns: Instrument Type, Instrument Number, Registration Date. Includes placeholder lines for data entry.

6. List any other matters that would normally qualify your opinion (including but not limited to title matters, judgements, liens, etc.):

Horizontal lines for providing additional information or details.



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REPORT ON TITLE

I am a solicitor in good standing, and have investigated title to the property insured by this policy in accordance with the instructions of First American Title Insurance Company (the "Company"), and I confirm the following:

1. I will comply with any and all requirements of the mortgage lender as set out in its Instructions to Solicitor prior to funding;
2. I have disclosed all title matters which would otherwise qualify my opinion on title;
3. I will advise the Company of any additional registrations or material changes to the state of title or the priority of the insured's interest, prior to closing;
4. I will make the proceeds of the mortgage payable to all registered owner(s) of the property, or a secured or unsecured creditor for which there is evidence of a debt (applicable to Mortgage Only transactions);
5. The beneficial owner has consented to the transaction (if applicable);
6. If the Borrower/Vendor owns abutting lands, the conveyance/mortgage is in compliance with the Planning Act;
7. I will obtain a clear execution certificate for the borrower and/or the vendor;
8. I will obtain a corporate profile dated no more than 30 days prior to the Date of Policy showing an active status for the borrower and/or vendor and predecessor to vendor, if applicable; and
9. Where the transaction relates to a purchase of a condominium, I will obtain a clear status/estoppel certificate dated no more than 30 days prior to the Date of Policy.
10. I confirm that I have obtained consent from the parties to the transaction (purchasers, vendors, borrowers, lenders, as applicable) in compliance with all applicable laws to have their personal information provided to FCT for the purposes of issuing and administering a title insurance policy, and any other ancillary policy relating thereto, including for underwriting purposes and assessing and controlling risks. For FCT's corporate Privacy Policy, including information about service providers located outside of Canada, visit our website at [www.fct.ca](http://www.fct.ca).

Do you confirm title is as you have advised on this order?

Yes  No

*FCT is committed to protecting your client's privacy and personal information. The personal information you provide is kept confidential and is used to underwrite, assess and control risks, and issue and administer policies of title insurance. For our complete corporate Privacy Policy, please visit our website at [www.fct.ca](http://www.fct.ca)*