

SOLICITOR'S/NOTARY'S REPORT ON TITLE (ALL PROVINCES EXCEPT QUEBEC)

Solicitor's/Notary's Ref. No. _____ Lender's Ref. No. _____

TO:

THE BANK OF NOVA SCOTIA/SCOTIA MORTGAGE CORPORATION
Central Mortgage Unit
P.O. Box 1122
Stratford, Ont. N5A 7X9

Details:

Mortgagor(s)/Borrower(s): _____

Guarantor(s): _____

Registered Owner(s): _____

Legal Address of Property: _____

Registration #: _____

Registration Date: _____

Land Title/ Registry Office: _____

PIN/PID, Title number or _____

Parcel Number details: _____

Fire Insurance Details: Policy #:* _____

Amount of Coverage:* _____

Insurance Company:* _____

Company Address: _____

Expiration Date of Coverage:* _____

* Mandatory for Non-Condominium Properties.

Title Insurance for lender coverage:

Title Insurer Name: _____

Policy #: _____ Amount: _____ Date: _____

The undersigned hereby certifies as follows:

- ☐ Western Law Societies' Conveyancing Protocol Closings: I have complied with the Western Law Societies' Conveyancing Protocol (in the Province where the property is located) in the conduct of this transaction and have acted in accordance with your instructions with respect to the real property mortgage described above. Subject to any qualifications noted below, which have been accepted by you, it is my opinion that the mortgage can now be funded and the funds disbursed.

All terms and conditions as set out in your Requisition to Solicitor/Notary for Mortgage/Hypothecary Loan (the "Requisition"), have been fulfilled and, where required, supporting documentation has been obtained.

- ☐ A valid and legally binding **1st mortgage** or charge, if applicable, (the "Mortgage"), on the form provided with your Requisition, has been registered over the lands described in the Mortgage. The priority of the Mortgage is as shown in your Requisition. Your Mortgage is not subject to other prior encumbrances, other than minor defects which do not negatively affect the marketability of title.

OR

- ☐ A valid and legally binding **1st mortgage** or charge, if applicable, (the "Mortgage"), on the form provided with your Requisition, has been registered over the lands described in the Mortgage. The priority of the Mortgage is as shown in your Requisition. A policy of Lender Title Insurance has been obtained from one of the providers in the Requisition.

OR

- ☐ A valid and legally binding **2nd mortgage** or charge, if applicable, (the "Mortgage"), on the form provided with your Requisition, has been registered over the lands described in the Mortgage. Your Mortgage is subject only to the existing 1st mortgage as described in your Requisition, and other minor defects which do not negatively affect the marketability of title.

Actual notice of your Mortgage registration has been provided in writing to the 1st mortgagee in a manner that is effective to permit The Bank of Nova Scotia to claim priority over any advances by the 1st mortgagee after _____.

In Nova Scotia, the notice has been registered in the appropriate manner and proof of registration of the notice to the 1st mortgagee has been provided.

In Alberta and Saskatchewan, the existing 1st mortgage does not secure re-advances of credit up to a specific principal sum and does not provide for a revolving line of credit up to a specific principal sum.

OR

- ☐ A valid and legally binding **2nd mortgage** or charge, if applicable, (the "Mortgage"), on the form provided with your Requisition, has been registered over the lands described in the Mortgage. Your Mortgage is subject only to the existing 1st mortgage as described in your Requisition. A policy of Lender Title Insurance has been obtained from one of the providers in the Requisition.

Actual notice of your Mortgage registration has been provided in writing to the 1st mortgagee in a manner that is effective to permit The Bank of Nova Scotia to claim priority over any advances by the 1st mortgagee after _____.

In Nova Scotia, the notice has been registered in the appropriate manner and proof of registration of the notice to the 1st mortgagee has been provided.

In Alberta and Saskatchewan, the existing 1st mortgage does not secure re-advances of credit up to a specific principal sum and does not provide for a revolving line of credit up to a specific principal sum.

Insurance to protect the mortgaged property, as described in the Requisition, has been obtained and evidence of insurance will remain in our file. Scotiabank is endorsed as loss payee on the insurance.

Where a confirmation from the appropriate authority that the water is safe for human consumption is required, as described in the Requisition, it has been obtained and a copy will remain in our file. In addition, for new construction properties, confirmation that the water is adequate in flow has been obtained and a copy will remain in our file.

Where a copy of the new home warranty Certificate of Completion and Possession is required, as described in the Requisition, it has been obtained and the certificate number has been provided in the "Other" section.

Where a survey (and Declaration, where applicable) is required, as described in the Requisition, it has been obtained, and the survey (and Declaration) will remain in our file. I confirm that there are no defects which negatively affect the marketability of title.

Documents provided:

- ☐ Evidence of registered mortgage or charge (refer to the Requisition for requirements for jurisdictions with electronic registration) and if applicable, Registered Amending Agreement and/or Manitoba Assignment of Rents Registration (PPSA and LTO).
- ☐ Verification of PPSA registration.
- ☐ Certificate(s) of Independent Legal Advice.
- ☐ Guarantee Agreement. Form 2153718 where the borrower is an individual; Form 1345419 where the borrower is a corporation. In Alberta, with Certificate of Notary Public.
- ☐ Title Insurance Policy in favour of the Lender.
- ☐ Notice to 1st Mortgagee. Nova Scotia only, proof of registration of Notice to 1st Mortgagee.
- ☐ Power of Attorney (POA): Fully completed Power of Attorney Information form together with photocopies of identification of attorney, response to the Third Party Determination Question and copies of the POA and registered POA (if applicable).
- ☐ Indian Reserve Land: Assignment of sublease (when Vendor other than Sun Rivers - Indian Reserve Land), Parcel Abstract Report from the Indian Land Registry, Consent to and Agreement Regarding Mortgage of Sublease and Homeowner Agreement.
- ☐ Where Bank Approval Documents are signed in lawyer's office - Broker Mortgage Unit only (signed originals)
- ☐ Personal Credit Agreement (only required if Requisition to Solicitor was issued before February 2, 2014)
- ☐ Demand Note, Bridge Loan Schedule and Assignment of Sales Proceeds and Direction
- ☐ **Other** (please specify): _____

Solicitor/Notary Signature

Date