

Property Migration Information Sheet

What is migration?

These residents have paper title to their property. The term “migration” refers to the act of moving your parcel of land from the old names-based registry system to the new parcel-based system after clear title to land has been obtained. Once the process is completed and approved by the Land Registration Office, the land is "migrated" into the new system.

Generally, four main events trigger migration: selling your land, mortgaging your land, registering a Certificate of Title pursuant to the *Land Titles Clarification Act*, or subdividing your land into three or more lots.

Migration provides a guarantee of title to the landowner and subsequent purchasers, subject only to any disclosed outstanding interests. The landowner has priority over all other persons who may claim an ownership interest in the same land/property.

Do I need to migrate my property?

The *Land Registration Act* requires every parcel of land in Nova Scotia to be migrated when a “triggering event” occurs.

“Triggering events” include properties being sold for value, mortgaged or subdivided (that create three or more lots). A triggering event means a parcel must be converted into the new system before the transaction can take effect (e.g. the sale, mortgage, subdivision).

On a sale it is generally the responsibility of the seller/current owner to ensure migration happens prior to the sale.

I own my home, why do I need to migrate my property?

If you own your home, whether by Deed or Certificate of Title, you still need to migrate your property to the new parcel-based system. Every property in Nova Scotia will need to be migrated before it can be sold, mortgaged, etc.

None of the triggering events apply to me, so why migrate?

You can voluntarily opt to have your property migrated, which will give you some assurance that you have title. This work will already be complete when you attempt to deal with your property at a later date, making it easier to sell, mortgage or subdivide your property when the time comes. It will also make those processes easier for your heirs if you pass away before selling, mortgaging, etc.

If you intend to sell, refinance or subdivide into more than three lots in the future, we suggest converting your property in advance as it can take some time to complete.

How do I migrate my property?

This is a one-time only process. Only a specially authorized lawyer (sometimes with the help of a surveyor), can convert your property into this system. Your lawyer will conduct one last full historical records search and will work with you to confirm details of your property and then create a summary of the specific nature of your parcel. This will outline, among other things, who the property owners are, all outstanding mortgages and judgments, and all easements.

Will migrating my property cost money?

Typically, yes. A lawyer's fees may fall between \$800 and \$2,000.00 (depending on complexity) plus a registration fee of \$100.00* and a title searcher's fee (approximately \$150.00 – \$500.00). However, as part of the Land Titles Initiative, property migrations are performed at no cost to the residents from the five communities.

- North Preston
- East Preston
- Cherry Brook/Lake Loon
- Lincolville
- Sunnyville

What happens after I migrate my property?

Should you decide to sell or refinance your property after migration, your lawyer can simply access Property Online and do a quick search of the up-to-date information. There is no need to access the old historical records. This process will save you both time and money.

How do I find out more information about property migrations?

Please contact:

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