

## Understanding Title Insurance: Surveys, GST/HST Liens, Fraud, and Building Permit Claims

### Real Property Law Section



Webcast

**Date:** Thursday, February 18, 2021 | 9:00 am to 12:00 pm

**Location:** Webinar

**Program Chair:** Harjot Atwal, Beard Winter LLP



This program is eligible for up to **2.5 hrs Substantive** content  
This program is eligible for up to **0.5 hrs Professionalism** content

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Transactional real estate lawyers often view title insurance as a necessity. Most lenders' mortgage instructions require it, and purchaser clients need to be protected from unforeseen risks. Yet, not all are completely familiar with what risks are likely to be covered. Our discussion will clarify some of the common issues that arise. Our expert faculty will provide an in-depth analysis of the different functions of surveys and title insurance, as well as updates on GST/HST lien coverage, recognizing fraud and recent case law that has affected building permit claims. Understand what types of transactions require surveys, gather insights into litigation with the CRA over GST/HST liens, and review amending rescission clauses in standard form APSs.

You will not want to miss this opportunity to hear relevant practice points that require consideration and potential pitfalls to avoid.

9:00 am	Welcome & Opening Remarks	10:40 am	<b>Fraud Protection, Equity's Darling, and Deferred Indefeasibility</b> <b>Harjot Atwal, Beard Winter LLP</b>
9:05 am	<b>Surveys and Title Insurance in Real Estate Transactions</b> <b>Mitchell Leitman, Rasmussen Starr Ruddy LLP</b>		<ul style="list-style-type: none"> <li>Recent evolution of fraud claims</li> <li>Red flags indicating fraud and sample scenarios</li> <li>Identity fraud, corporate fraud, inter-family fraud, and international fraud</li> <li>Equity's Darling, deferred indefeasibility, and priority conflicts</li> </ul>
	<ul style="list-style-type: none"> <li>Different protective functions of surveys and title insurance</li> <li>Benefits of title insurance</li> <li>When surveys and/or title Insurance might be necessary with review of relevant cases: <ul style="list-style-type: none"> <li><i>Ontario v. Syvan Developments Ltd.</i></li> <li><i>Strutt v. Franko</i></li> <li><i>Oyelese v. Sorensen</i></li> </ul> </li> </ul>	11:20 am	<b>Open Building Permits and Marketability of Title</b> <b>Ray Leclair, Lawyers' Professional Indemnity Company (LAWPRO)</b>
9:45 am	<b>Super-Priority GST/HST Liens</b> <b>Brigitte L.-Beauchesne, Vice President, National Underwriting Counsel, Chicago Title Insurance Company</b>		<p>Overview of open building permits and their impact on closings</p> <ul style="list-style-type: none"> <li>Changes to definition of "marketability of title"</li> <li>Review of key cases: <ul style="list-style-type: none"> <li><i>Small v. Chicago Title Insurance Co.</i></li> <li><i>Thomas v. Carreno</i></li> <li><i>1854822 Ontario Ltd. v. The Estate of Manuel Martins</i></li> <li><i>MacDonald v. Chicago Title Insurance Company of Canada</i></li> <li><i>Breen v. FCT Insurance Company Ltd.</i></li> </ul> </li> </ul>
10:25 am	Mental Health Break	11:55 am	Questions and Concluding Remarks
		12:00 pm	Program Concludes

**PROGRAM REGISTRATION IS ONLINE** [www.oba.org/pd](http://www.oba.org/pd)

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