



# OBA CPD WEBCAST REPLAYS

ESSENTIAL SESSIONS REBROADCAST – WITH LIVE CHAT



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

Date: March 18, 2021

Original Program Chair:  
Harjot Atwal, Beard Winter LLP

Original program was held on February 18, 2021

---

### AGENDA

Welcome and Opening Remarks from the Program Chairs

#### Surveys and Title Insurance in Real Estate Transactions

Mitchell Leitman, Rasmussen Starr Ruddy LLP

- Different protective functions of surveys and title insurance
- Benefits of title insurance
- When surveys and/or title Insurance might be necessary with review of relevant cases:
  - *Ontario v. Syvan Developments Ltd.*
  - *Strutt v. Franko*
  - *Oyelese v. Sorensen*

#### Super-Priority GST/HST Liens

Brigitte L.-Beauchesne, Vice President, National Underwriting Counsel, Chicago Title Insurance Company

- Difficulties obtaining answers from the CRA
- Title insurance coverage considerations
- Resolving issues with the borrower
- Litigation with the CRA

Break (15 Minutes)



**Substantive Hours:** This program contains 2h 30m

**Professionalism Hours:** This program contains 30m

The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Upper Canada.



# OBA CPD **WEBCAST REPLAYS**

ESSENTIAL SESSIONS REBROADCAST – WITH LIVE CHAT



OBA CPD

## **Fraud Protection, Equity's Darling, and Deferred Indefeasibility**

**Harjot Atwal**, Beard Winter LLP

- Recent evolution of fraud claims
- Red flags indicating fraud and sample scenarios
- Identity fraud, corporate fraud, inter-family fraud, and international fraud
- Equity's Darling, deferred indefeasibility, and priority conflicts

## **Open Building Permits and Marketability of Title**

**Ray Leclair**, Lawyers' Professional Indemnity Company (LAWPRO)

Overview of open building permits and their impact on closings

- Changes to definition of "marketability of title"
- Review of key cases:
  - Small v. Chicago Title Insurance Co.
  - Thomas v. Carreno
  - 1854822 Ontario Ltd. v. The Estate of Manuel Martins
  - MacDonald v. Chicago Title Insurance Company of Canada
  - Breen v. FCT Insurance Company Ltd.

Closing Remarks



**Substantive Hours:** This program contains 2h 30m

**Professionalism Hours:** This program contains 30m

The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Upper Canada.