

**COMMERCIAL TITLE INSURANCE ORDER FORM (Ontario Form)**

**PLEASE NOTE:** if you require specific coverage for a title issue, please contact us to speak with an Underwriter before closing. Our Search Requirements and sample policies are available upon request. **For transactions over \$10 Million you may be contacted by a Stewart Title Representative for more information.**

TO: Stewart Title Guaranty Company – Commercial Operations DATE: Total Pages  
 ATTN: EMAIL: stgtorcommorders@stewart.com  
 TEL: 416-307-3300 / 888-667-5151 FAX: 416-216-5705 / 888-292-1388

**LAW FIRM INFORMATION**

Solicitor: \_\_\_\_\_ Contact: \_\_\_\_\_  
 Firm: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Tel: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_ Your File No: \_\_\_\_\_

Have you ordered from Stewart Title before?  Yes  No

Do you prefer documents to be sent by:  Fax  Email\*  No Preference

\*Lawyer acknowledges that they have obtained consent from their clients to have their personal information transmitted over the internet, being a non-secure transmission route.  
 If no selection is made, policy(ies) will be delived by fax.

Are you/your firm acting for:  The Borrower/Purchaser  The Lender

Please list the names of any other solicitors acting on this transaction (ie. Vendor's Solicitor): \_\_\_\_\_

Have you received a quote regarding this transaction?  Yes  No If yes please provide the quote reference number \_\_\_\_\_

**POLICY INFORMATION** **CLOSING DATE:** \_\_\_\_\_

Transaction Type:  
 Purchase  Refinancing  Share Purchase (# of Shares: \_\_\_\_\_)

Property Type:  
 Commercial Condominium  Vacant Land  Farm  
 Commercial (please specify use): \_\_\_\_\_

Policies Required:  Owner  Lender  Both

**PURCHASE PRICE:** \$ \_\_\_\_\_

Interest In Land:  
 Fee Simple  Leasehold (If Assignment of Lease, the original Lease was registered on \_\_\_\_\_ as Instrument Number \_\_\_\_\_)  
 Other: \_\_\_\_\_

**OWNER / PROPERTY INFORMATION**

Purchaser / Borrower Name(s): \_\_\_\_\_  
 If corporation, please provide name(s) of Corporate Signing Officer(s): \_\_\_\_\_  
 Current Vendor Name(s) (if Purchase transaction): \_\_\_\_\_  
 Municipal Address of Property to be Insured: \_\_\_\_\_

Full Legal Description of Property to be Insured: (OR PROVIDE COPY OF PARCEL PAGE OR METES & BOUNDS DESCRIPTION)  
 \_\_\_\_\_  
 \_\_\_\_\_

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

**MORTGAGE INFORMATION** - For additional Lender Policies, please attach a separate page.  
 If the mortgage blankets over additional properties please complete and attach our "Blanket Properties Form" (available on request)

Private Lender?  Yes  No

If Private Lender, what is the term of the mortgage? \_\_\_\_\_ What is the mortgage interest rate? \_\_\_\_\_

Lender: \_\_\_\_\_

**MORTGAGE AMOUNT:** \$ \_\_\_\_\_ **PRIORITY**  First  Second  Third  
 Reference/Loan Number: \_\_\_\_\_  Construction Mortgage  VTB

**TITLE SEARCH RESULTS**

1. Does the vendor or borrower own abutting lands?  Yes  No
  2. **Existing Mortgages:** [NOTE: Private mortgages must be discharged prior to or on closing]
    - To Be Discharged (please specify which mortgages are being discharged)
    - No Existing Mortgages on Title
    - Remaining on Title (Please list details below and add separate sheet if required)
- Lender: \_\_\_\_\_
- Date of Registration: \_\_\_\_\_ Instrument Number: \_\_\_\_\_
- Original Principal: \_\_\_\_\_ Priority:  First  Second  Third
- Other (Specify): \_\_\_\_\_
3. How long has the Borrower and / or Vendor owned the property? \_\_\_\_\_
  4. Details of ALL other Registered Instruments (attach additional instruments, the Parcel Page or General Register when applicable):

Instrument Number	Registration Date	Type of Document
_____	_____	_____
_____	_____	_____
_____	_____	_____

Are there any other matters affecting title which you would qualify on your opinion?  Yes  No

If "Yes", please explain: \_\_\_\_\_

**SURVEY INFORMATION**

- Do you have a survey?  Yes  No If no survey is available, further underwriting may be necessary and you may be contacted by us.
- If "Yes", please fax a copy of the survey for our review.*
- Does the survey disclose any defects or are you aware of any changes made since the survey date?  Yes  No
- If "Yes", please explain: \_\_\_\_\_

**OFF-TITLE SEARCH RESULTS**

Please refer to our commercial search requirements (available on request or on our website).

1. **Tax Search Results** – Verbal confirmation from the Municipality, a receipt tax bill, a reference in a vendor's/mortgager's Statutory Declaration or Tax Certificate is sufficient for transactions under \$10,000,000. For larger transactions please see our search requirements
  - Paid To Date  Arrears to be Paid from Closing Funds  Other (Specify): \_\_\_\_\_
2. **Execution Search Results** (search Borrower and/or Vendor, when applicable)
  - Clear  Execution(s) against current parties being paid out and lifted
  - Similar Name Execution(s)  Client affidavit being obtained for writs under \$50K
  - Solicitor affidavit being obtained for writs over \$50K
3. **Building/Zoning Search Completed?**  Yes  No If "Yes", are Search Results clear?  Yes  No
 

Use of Property: \_\_\_\_\_

  - a) Is the property currently under construction?  Yes  No
  - b) If the property is currently under construction, has a compliance search been completed for all Subdivision Agreements and Development Agreements on title?
    - Yes  No  Will obtain (please advise of any outstanding issues)  None on title
4. **Fire Work Order Search**  Yes  No If "Yes", are Search Results clear?  Yes  No
5. **WHEN ORDERING A LOAN POLICY – Corporate Borrowing Resolution for the Borrower**
  - Obtained  Not yet, but will be obtained before closing  Not a Corporate Borrower
6. **WHEN ORDERING A LOAN POLICY - I have confirmed that the borrower has the authority to enter into this mortgage:**  Yes  No
7. Have there been any recent changes (within the last 12 months) of any officers/directors?  Yes  No
8. **Current Corporate Certificate of Status / Corporate Profile for the Borrower and/or Vendor**
  - Obtained  Not obtained, but will be obtained before closing  Not Applicable
9. **Utility Search Results** (to the extent that they may form a lien against the property) – Verbal confirmation from the Municipality, a receipted utility bill, a reference in a vendor's/mortgagor's Statutory Declaration or a Utility Certificate is sufficient for transactions under \$10,000,000. For larger transactions, please refer to our search requirements.
  - Paid To Date  Arrears to be Paid using closing funds  There are no arrears forming a lien
10. **Unregistered Easements** (for vacant land only)  Yes  No If "Yes", are Search Results clear?  Yes  No
11. **Condominium Status Certificate**
  - Clear Certificate  Not Clear (Please fax a copy for our review)  Not Required: Refinance Under \$2 Million

## ADDITIONAL QUESTIONS

## 1. FOR ALL TRANSACTIONS

Will you be obtaining Canadian/Provincial government issued photo ID of the borrower/purchaser prior to closing and keeping a legible copy in your file?  Yes  No

*Please note – if the purchaser/borrower is a corporation, photo ID must be obtained for the Signing Officer.*

If "No", is the borrower/purchaser a long term client of yours? (ie. Have you known the client for at least 1 year?)  Yes  No

If the borrower/purchaser is not a long term client and you have not obtained Canadian/Provincial government issued photo ID please explain: \_\_\_\_\_

*If you are acting for the Lender, you are still required to verify that proper Photo ID has been obtained.*

## 2. IF PURCHASE

Was any portion of the deposit paid DIRECTLY to the Vendor?  Yes  No

If "Yes", please explain: \_\_\_\_\_

## 3. IF REFINANCE

Are the mortgage proceeds being paid to anyone OTHER than an existing lender, the borrower directly, or the solicitor in trust?

Yes  No

If "Yes", please explain: \_\_\_\_\_

## 4. FOR ALL TRANSACTIONS

Have there been any transfers of title or discharges of mortgages registered within the last 6 months?

Yes  No

If "Yes", please explain: \_\_\_\_\_

## 5. FOR ALL TRANSACTIONS

Has another title insurance company refused to issue a title insurance policy for this transaction?  Yes  No

If "Yes", please explain: \_\_\_\_\_

## 6. FOR ALL TRANSACTIONS

Is a Power of Attorney being used in this transaction?  Yes  No *If "Yes", please fax a copy of the Power of Attorney to our office for review*

## 7. FOR ALL TRANSACTIONS

Is a Private Lender providing the new mortgage?  Yes  No

a) Is the subject property mortgage free? (ie. Presently no mortgages on title)  Yes  No

b) Is the subject property vacant land?  Yes  No

c) Is the transfer to the borrower for nominal consideration? (If the transfer is an estate conveyance or transfer from trustee to beneficiary, or an inter-family/inter-spousal transfer, please answer "Yes" to this question)  Yes  No

Stewart Title is committed to protecting the privacy and personal information of those insured under Stewart Title policies. The information provided about them is kept confidential and used for the purposes set out in our privacy policy, including but not limited to, the underwriting and issuing of policies and administering of claims. For a copy of our complete privacy policy, please visit our website at [www.stewart.ca](http://www.stewart.ca), or contact our Privacy Officer at 1-888-667-5151.

For purposes of the *Insurance Companies Act* (Canada), this document was issued in the course of Stewart Title Guaranty Company's insurance business in Canada.

Last Updated: May 2010