

RESIDENTIAL TITLE INSURANCE ORDER FORM (Quebec)

Date: _____ Attention: _____
Telephone: (866) 235-9152 Fax: (450) 973-4447 Email: quebec@stewart.com

FIRM INFORMATION

Notary: _____
Contact: _____
Firm: _____
Address: _____
Telephone: _____ Fax: _____
Email: _____
Your File Number: _____

How do you prefer to receive your policy(ies)?

- ☐ Fax
☐ Email*

*The notary 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, the confirmation package will be delivered by fax.

Please list the names of any other notary/lawyer involved in this transaction: _____

Have you received a quote regarding this transaction?

- ☐ Yes ☐ No

If yes, please provide the amount received. _____

POLICY INFORMATION

Transaction Type:

- ☐ Purchase/Transfer of a property
☐ Refinancing (borrower is already the owner)

Closing Date: Hypothec: _____ Sale: _____

Purchase Price: \$ _____

Property Type:

- ☐ Single Family Residential
☐ Condominium
☐ Vacant Land
☐ 2 to 6 Residential Units Number of units: _____
☐ Farm
☐ Other: _____

Interest in Land:

- ☐ Full and total ownership ☐ Leasehold ☐ Other : _____

Policies Required:

- ☐ Owner ☐ Lender ☐ Both

Policy language

- ☐ English ☐ French

OWNER / PROPERTY INFORMATION

Purchaser / Borrower Name(s): (as they will appear in the deeds)

Current Vendor Name(s) : (if a purchase or transfer)

Municipal Address of Property to be Insured : (for additional properties, please attach a list of the other properties)

Legal Description of Property to be Insured :

Lot number: _____

Cadastre: _____

Registration division: _____

If a Part of Lot:

Please provide the legal description or the registration number of the last deed containing the correct legal description:

HYPOTHEC INFORMATION

(For additional Lender Policies, please attach a separate page)

(If the hypothec blankets over additional properties, please complete and attach a separate list of the other properties)

Lender's Name: _____

☐ Hypothec in favour of the vendor (balance of the sale price)

Hypothec Amount: \$ _____

Priority: ☐ 1st ☐ 2nd ☐ 3rd ☐ 4th

Loan Reference Number _____ Loan to value ratio is 75% or less: ☐ Yes ☐ No

If it is a private lender providing the hypothec:

Term of the loan: _____ Interest rate of the loan: _____

Is the hypothec being used for the purpose of financing construction/development/ renovations or Is the hypothec securing a construction take out loan? or

Was there construction/renovation recently completed on the land, Is the property currently under construction and/or has work already been started to facilitate future development (i.e. Architect drawings, engineering plans, layout plans)?

☐ Yes ☐ No

If yes, is coverage for legal hypothecs of persons having taken part in the construction or renovation of an immovable required? (lender only)

☐ Yes ☐ No (An exception to this effect shall appear in Schedule B of the policy)

Is the hypothec being advanced in stages? ☐ Yes ☐ No

TITLE SEARCH RESULTS

How long has the borrower and/or Vendor owned the property? _____

In your opinion, are there any adverse matters affecting title? ☐ Yes ☐ No

If yes, please explain:

TITLE SEARCH RESULTS (continued)

Existing Hypothecs:

No Existing Hypothecs on Title

To Be Discharged (please specify below which hypothecs are being reimbursed and discharged with the proceeds of the present transaction)

Registration Number	Registration Date	Type of hypothec
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

☐ Remaining on Title (please list the details below, and add a separate sheet if required)

Lender:

Registration date:

Hypothec amount: \$

Registration number:

Priority: ☐ 1st ☐ 2nd ☐ 3rd Is it reimbursed (paid)? ☐ Yes ☐ No

CERTIFICATE OF LOCATION INFORMATION

Do you have a certificate of location? ☐ Yes ☐ No

If **yes**, does the certificate of location disclose any defects OR are you aware of any changes made since the date of the certificate of location? ☐ Yes ☐ No

If yes, please explain and provide a copy of the certificate of location:

Regarding the defects disclosed in the certificate of location:

1. Have the structures existed for more than 2 years? ☐ Yes ☐ No
2. To your knowledge, have any notices been received or are there any ongoing disputes regarding the defects? ☐ Yes ☐ No
3. To your knowledge, have any steps been taken or will any steps be taken to correct the defects? ☐ Yes ☐ No

OFF-TITLE SEARCH RESULTS

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

Are there tenants or will there be tenants? ☐ Yes ☐ No

Taxes are paid to date or will be paid from closing funds: ☐ Yes ☐ No

Common Expenses and Special Contributions (if a condominium):

☐ Paid to date ☐ Arrears to be paid using closing funds ☐ Not required : refinancing

Public Utility Charges:

☐ Paid to date ☐ Arrears to be paid using closing funds ☐ Not required

Water:

☐ Municipal ☐ Artesian well ☐ Other

 ☐ Do not know

Sewers

☐ Municipal ☐ Septic tank ☐ Other

 ☐ Do not know

Are there any governmental liens registered on title? Yes No

ADDITIONAL ENDORSEMENTS

Do you require a septic system endorsement?

☐ Yes ☐ No

To your knowledge, is the septic system non-conforming?

☐ Yes ☐ No ☐ Do not know

Do you require a water potability endorsement? (lender only)

☐ Yes ☐ No

To your knowledge, is the water not potable?

☐ Yes ☐ No ☐ Do not know

Does the water come from a river or lake?

☐ Yes ☐ No ☐ Do not know

ADDITIONAL QUESTIONS

(Please note that additional information or documents may be required in accordance with your answers)

FOR ALL TRANSACTIONS:

1. Will you be obtaining, verifying Canadian/Provincial government issued photo ID of the parties prior to closing and keeping a legible copy in your file? ☐ Yes ☐ No
2. Do you know the vendor? (for a purchase only) ☐ Yes ☐ No
3. Do you know the borrower or the purchaser? ☐ Yes ☐ No
4. Is a real estate broker involved in the present transaction? (for a purchase only) ☐ Yes ☐ No
5. **FOR A REFINANCING ONLY:** Is a power of attorney/mandate for the borrower(s) being used in the present transaction? ☐ Yes ☐ No

If yes:

- a. Is the power of attorney notarized (not revoked)? ☐ Yes ☐ No
 - b. Are the remaining proceeds of the refinancing being made payable to anyone OTHER than the mandator? ☐ Yes ☐ No
 6. Have there been any transfers of title or discharges of hypothecs registered within the last 6 months of the present transaction? ☐ Yes ☐ No
- If yes, what was the nature of the transfer or discharge?

On what date did it occur? _____

7. Has another title insurance company refused to issue a title insurance policy for this transaction? ☐ Yes ☐ No
- If yes, please explain: _____
8. Is a Private Lender providing the new hypothec? ☐ Yes ☐ No
 9. Is the property hypothec free? (presently no hypothecs on title) ☐ Yes ☐ No
 10. Is the property vacant land? ☐ Yes ☐ No
 11. Is the transfer between connected persons, between persons of the same family, between spouses, between co-owners, between legatees of a succession, between a trustee to a beneficiary or between a legal person to its directors? ☐ Yes ☐ No

For a purchase

1. Will the money serving for the purchase transaction transit in your trust account? ☐ Yes ☐ No
2. Is any part or all of the proceeds of the sale paid to a party other than the vendor or to pay the reimbursement of the existing loan, notary fees, brokerage fees, land surveyor fees, public utility cost arrears or municipal and school tax arrears? ☐ Yes ☐ No

If yes, please explain:

For a Refinance:

1. Are the proceeds of the refinancing being made payable to anyone OTHER than an existing lender or to the borrower(s) directly? ☐ Yes ☐ No
2. **If yes**, will the proceeds be used to pay municipal/school taxes, utility fees, a mortgage broker for brokerage fees, a notary/lawyer for legal fees, the owner, a creditor on title, a borrower non-owner that is a spouse, child or parent of the owner or a credit card company for credit cards in the name of the owner or a borrower non-owner that is a spouse, child or parent of the owner. ☐ Yes ☐ No
- If no**, please list all other parties to whom sums are being made payable to:

Other comments:

Note: If the Report on Title below is not signed by the notary at the time the present order form is submitted, a separate Report on Title to be signed will be provided with your confirmation package.

REPORT ON TITLE: I have investigated title to the insured land in the manner prescribed by la Chambre des notaires du Québec, excluding, however, those searches not required by Stewart Title Guaranty Company; and in my opinion, in so far as that investigation revealed each named insured will obtain, upon registration of the transfer/deed and/or mortgage, a good marketable interest in the insured land referred to in Schedule "A" of the Policy. I also confirm the following:

1. I will comply with any and all requirements of the hypothec lender as set out in its Instructions to notary prior to funding.
2. I have disclosed all title matters which would otherwise qualify my opinion on title;
3. I will advise Stewart Title of any additional registrations or matters affecting title, changes to the status of the property and/or the insured's interest prior to closing;
4. I will advise Stewart Title of any changes in the Scheduled Closing Date;
5. I will disclose all the standard Exclusions referred to in the Policy and the Exceptions and Coverages set out in Schedule "B" to the purchaser and/or the lender as applicable.
6. I will forward the document entitled Title Insurance for Homeowners- Key information when you are purchasing a home" with the covering note to the purchaser and the title insurance policy (s) to the purchaser and/or the lender as applicable.

Stewart Title Guaranty Company waives any rights of subrogation it may have against me in respect of any and all of the foregoing and I shall be liable to Stewart Title Guaranty Company for any loss resulting from my intentional act or omission or gross negligence and/or any fraudulent act or omission by me.

Whenever possible, Stewart Title requires policies be ordered prior to closing.

PLEASE NOTE that Stewart Title reserves the right to refuse to issue policies that are ordered after closing.

Signed on the _____ day of the month of _____ 20_____

Notary Signature: _____

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, or contact our Privacy Officer at (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.