

## COMMERCIAL TITLE INSURANCE ORDER FORM (Quebec Form)

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**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: <a href="mailto:quebec@stewart.com">quebec@stewart.com</a>	
TEL: 450 973-4446 / (toll free) 1 866-235-9152	FAX: 450 973-4447	
<b>FIRM INFORMATION</b>		
Notary/lawyer: _____	Contact: _____	
Firm: _____		
Address: _____		
Tel: _____	Fax: _____	
Email: _____	Your File No: _____	
Do you prefer documents to be sent by: <input type="checkbox"/> Fax <input type="checkbox"/> Email* <input type="checkbox"/> No Preference		
*The notary/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, confirmation packages will be delivered by fax.		
Are you/your firm acting for: <input type="checkbox"/> The Borrower/Purchaser <input type="checkbox"/> The Lender <input type="checkbox"/> N/A		
Please list the names of any other notary/lawyer acting on this transaction: _____		
Have you received a quote regarding this transaction? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes please provide the amount received _____		
<b>POLICY INFORMATION</b>		<b>CLOSING DATE:</b> _____
<u>Transaction Type:</u>		
<input type="checkbox"/> Purchase	<input type="checkbox"/> Refinancing	<input type="checkbox"/> Share Purchase (# of Shares: _____)
<u>Property Type:</u>		
<input type="checkbox"/> Commercial Condominium	<input type="checkbox"/> Vacant Land	<input type="checkbox"/> Farm
<input type="checkbox"/> Commercial (please specify use): _____		
<u>Policies Required:</u> <input type="checkbox"/> Owner <input type="checkbox"/> Lender <input type="checkbox"/> Both		
<b>PURCHASE PRICE:</b> \$ _____		
<u>Interest In Land:</u>		
<input type="checkbox"/> Full and total ownership	<input type="checkbox"/> Leasehold	<input type="checkbox"/> Other: _____
<b>OWNER / PROPERTY INFORMATION</b>		
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 METES & BOUNDS DESCRIPTION)		
Lot no: _____		
Cadastre and Registration division: _____		
Publication no. of the last published act containing the correct designation (in the case of a part of lot): _____		
<b>HYPOTHEC INFORMATION</b> - For additional Lender Policies, please attach a separate page.		
<i>If the hypothec blankets over additional properties please complete and attach our "Blanket Properties Form" (available on request)</i>		
Private Lender? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If Private Lender, what is the term of the hypothec? _____		What is the hypothec interest rate? _____
Lender: _____		
<b>HYPOTHEC AMOUNT:</b> \$ _____	<b>PRIORITY</b> <input type="checkbox"/> First <input type="checkbox"/> Second <input type="checkbox"/> Third	
Reference/Loan Number: _____	<input type="checkbox"/> Construction Hypothec	<input type="checkbox"/> Hypothec in favor of the vendor

**TITLE SEARCH RESULTS**

1. Existing Hypothecs: [NOTE: Private hypothecs must be discharged prior to or on closing].

- To Be Discharged (please specify which hypothecs are being discharged).
- No Existing Hypothecs 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

Reimbursed?  Yes  No

2. How long has the Borrower and / or Vendor owned the property? \_\_\_\_\_

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

If "Yes", please explain:

**CERTIFICATE OF LOCATION INFORMATION**

Do you have a certificate of location?  Yes  No

If no certificate of location is available, further underwriting may be necessary and you may be contacted by us.

*If "Yes", please fax a copy of the certificate of location for our review.*

Does the certificate of location disclose any defects or are you aware of any changes made since the certificate of location 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

*or a 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. **Building/Zoning Search Completed?**  Yes  No If "Yes", are Search Results clear?  Yes  No

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

Is the property currently under construction?  Yes  No

3. **WHEN ORDERING A LOAN POLICY – Corporate Borrowing Resolution for the Borrower**

Obtained  Not yet, but will be obtained before closing  Not a Corporate Borrower

4. **WHEN ORDERING A LOAN POLICY** - I have confirmed that the borrower has the authority to enter into this hypothec:  Yes  No

5. Have there been any recent changes (within the last 12 months) of any officers/directors?  Yes  No

6. **Current Corporate Certificate of Status / Corporate Profile for the Borrower and/or Vendor**

Obtained  Not obtained, but will be obtained before closing  Not Applicable

7. **Utility Search Results** (to the extent that they may form a priority against the property) – Verbal confirmation from the Municipality,

*a receipted utility bill 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 priority

8. **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", 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: \_\_\_\_\_

## 2. IF PURCHASE

Will the money serving for the purchase transaction transit in your trust account?  Yes  No

## 3. IF PURCHASE

Are the sale's money being paid to anyone other than the vendor?  Yes  No

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

## IF REFINANCE

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

Yes  No

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

## 4. FOR ALL TRANSACTIONS

Have there been any transfers of title or discharges of hypothecs 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 Private Lender providing the new hypothec?  Yes  No

a) Is the subject property hypothec free? (ie. Presently no hypothecs 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

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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: September 2010