



**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.*

Private Lender?  Yes  No

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

Lender's Name: \_\_\_\_\_

**HYPOTHEC AMOUNT:** \_\_\_\_\_ \$ **PRIORITY**  First  Second  Third

Reference/Loan Number: \_\_\_\_\_  Construction Hypothec  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 you answered "Yes" to the previous question:**

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 (and provide a copy of the certificate of location): \_\_\_\_\_

**OFF-TITLE SEARCH RESULTS** Please refer to our residential search requirements (available on request or on our website).

1. It is a single family property or a condominium and there will be no tenants.  Yes  No

2. Taxes are paid to date or will be paid from closing funds.  Yes  No

3. Title is clear of all charges  Yes  No

**If you answered "No" to the previous question:**

Is it an hypothec to be reimbursed or discharged from closing funds?  Yes  No

4. All title matters that would normally qualify my opinion have been disclosed.  Yes  No

**If you answered "No" to any one of the previous questions**, please provide a written explanation or a copy of the certificate of location.

5. **Utility search results** (to the extent that they may form a priority against the property).

Paid to date  Arrears to be paid using closing funds  There are no arrears forming a priority

6. **Condominium Status Certificate**

Clear Certificate  Not Clear (Please fax a copy for our review)  Not Required: Refinance

7. **Water:**  Municipal  Artesian well  Do not know Other: \_\_\_\_\_

8. **Sewers:**  Municipal  Septic tank  Do not know Other: \_\_\_\_\_

**ADDITIONAL ENDORSEMENTS**

Do you require a septic system endorsement?  Yes  No

To your knowledge, is the septic system non conforming?  Do not know  Yes  No

Do you require a water potability endorsement? (lender only) yes no  Yes  No

To your knowledge, is the water not potable? Do not know yes no  Do not know  Yes  No

If "No", does the water come from a river or lake? Do not know yes no  Do not know  Yes  No

**ADDITIONAL QUESTIONS**

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

1. **FOR ALL TRANSACTIONS**  
 Will you be obtaining Canadian/Provincial government issued photo ID of the parties prior to closing and keeping a legible copy in your file?  Yes  No  
 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", will the proceeds funds be used to pay debts for which you have invoices?  Yes  No
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", what was the nature of the transfer? \_\_\_\_\_ On what date did it occur? \_\_\_\_\_
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

**REPORT ON TITLE:** I have investigated title to the insured land in the manner prescribed by Chambre des notaries du Québec and by the applicable law and regulations of Quebec, 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 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. If I become aware of any of these circumstances arising after closing but prior to payment remittance, I will advise Stewart Title immediately;
4. I will advise Stewart Title of any changes in the Scheduled Closing Date; and
5. I will disclose all Schedule B exceptions to coverage to the purchaser/mortgagor and hypothec as applicable.

I understand that 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.

**If this transaction has already closed** – please provide the registration information on a separate page. Whenever possible, Stewart Title requires policies be ordered prior to closing. Please Note: Stewart Title reserves the right to refuse to issue policies that are ordered after closing.

Notary Signature: \_\_\_\_\_ Signed on the \_\_\_\_\_ of \_\_\_\_\_ 20\_\_\_\_

**Comments (\*\*In the case of a 2<sup>nd</sup> or 3<sup>rd</sup> priority loan, please provide the facts pertaining to the first priority)**

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.