

Teranet Manitoba eTransfer User Guide



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Purpose


The purpose of this user guide is to highlight the main functions and intuitive features of the Electronic Submission Transfer form (eTransfer for short). This form is designed to be intelligent, provide, basic validation and error checking and to offer context sensitive help.

A note of caution: While the eTransfer form is interactive and is designed to make sure that certain basic information is provided, it is not intended to take the place of proper legal advice. The form **does not** have the ability to determine if the information you have entered is correct; it simply ensures that the required sections have been completed. In addition, although the goal of this user guide is to assist in the completion of the eTransfer form, it is not intended to be an exhaustive guide. **Teranet Manitoba cannot provide legal advice.**

General guidelines for completion

- Any field that requires a title number or instrument number must be completed using the land titles district office number:

Instrument Number 1234567/1 

Instrument Number 1234567 

The land titles office district numbers are as follows:

/1 Winnipeg




/4 Morden

/2 Brandon

/5 Neepawa

/3 Portage La Prairie

/6 Dauphin

- Many fields offer a default selection. Be aware that the default selection may not be the most appropriate selection for every scenario.
- Unless otherwise stated all fields are mandatory.
- When making a selection the  option indicates that one and only one option must be selected. The  option indicates that more than one option may be selected and in certain cases, it will be acceptable not to select any option at all.
- If the  option is available it can be used to increase or decrease the number of entry fields. Keep in mind that a minimum of one entry may still be required. In addition, there may be a maximum number of entries that can be added.

Example: If an instrument is being registered against more than one title number, the button  can be used to add those additional title numbers.

Requirements

Please visit our website for the most recent browser requirements.



Saving and locking features

Recognizing that transfers are often completed jointly by both sides in a purchase and sale transaction, with each side filing out different parts of the form, the eTransfer is unique in that it is a double locking form. This feature allows transferor content to be inserted by transferors who can lock this part of the form when creating their signature pages. The form and signature pages can then be sent to the transferee side who can inset transferee specific content, locking their portions of the form once they have done so.


A Note about Agents: As you read through this guide you will see several references to the transferor and/or transferee completing a section of the eTransfer. We have used these terms for the sake of simplicity however it is important to note that when the term *transferor* is used in this guide it also refers to a party acting on behalf of the transferor where that is normally allowed. The same guideline applies to the use of the term *transferee*.

Recommended steps for locking and saving

1. Transferor completes transferor content pages.
2. Save a draft copy of the unlocked form.
 - Once you lock the transferor section of the form you do not have the option to unlock the form and make changes if necessary. This security feature has been implemented to protect the transferor from a scenario where the transferee unlocks the transferor content pages and makes changes.
 - As a result, **we highly recommend** that you save a draft copy of each eTransfer before locking the form so that you have a completed and unlocked version to go back to should you need to make a change (for example, you discover your client has a middle name that you were unaware of).
3. Lock transferor pages and create transferor signature pages.

Lock Transferor Pages and Create Transferor Signature Pages

- Locking the form will create the transferor signature pages.
- Reminder: Once you lock the transferor section of the form you will not be able to unlock it should changes need to be made. We have included a warning notice as a reminder.

 **Save a draft copy of this form before locking.** Once you have locked the transferor sections, you will be unable to change those sections without creating a new form. You will be able to fill in certain areas in the transferor signature pages before printing. Save a new copy of the locked form prior to printing it out for signature. Following signing, send the signed transferor signature pages and the locked form to the transferee.

If you create a new form, any transferor content and signature pages already printed will be invalid, including all pages already sent to the transferee.

4. Print and complete transferor signature pages. You should save a copy at this stage. When you do so, give the file a different name than you gave to the unlocked form when you saved it.

5. Generate transferee pages.

Generate Transferee Pages

6. Send the original signed transferor signature pages to the transferee as well as a digital copy of the completed transferor section of the eTransfer form.

7. Transferee completes transferee content pages.

8. Lock transferee pages and create transferee signature pages. You must save a copy at this stage.

- Once the transferee content of the form has been completed, selecting this option will lock the form, preventing any further changes, and will create the signature pages.

Lock Transferee Pages and Create Transferee Evidence Pages

9. If you need to make a change to the transferee content pages you are able to unlock this portion of the form.

Unlock Form and Remove Signature Pages

- No changes can be made to a locked form.
- If a change is required, this option allows the transferee portion of the form to be unlocked to allow for further editing. This does not unlock the transferor portion of the form.
- It is important to note that once the form has been unlocked, **all previously created transferee signature pages** become invalid.
- Subsequently re-locking the form will generate new transferee signature pages that will have to be re-executed by all parties.
- More information about this process can be found in the [Security Features](#) section of the User Guide.

10. Transferee prints all content pages and transferee signature pages.
11. Transferee completes signature pages.
12. Assemble eTransfer for registration. This will include transferor content and signature pages, transferee content and signature pages, any required evidence, and the RDA (Registration Details Application) with payment.

Content

Box 1: Transfer type

1. TRANSFER TYPE

Transfer of

- ☐ freehold title
- ☐ condominium title
- ☐ leasehold title
- ☐ statutory easement title, including pipeline and wind turbine easements
- ☐ life lease title

Use this box to indicate the type of land affected by the transfer. Multiple selections can be made. The following section will give an overview of each option.

If **freehold or leasehold title** is selected then no further information is required.

Transfer of

- ☒ freehold title
- ☐ condominium title
- ☒ leasehold title
- ☐ statutory easement title, including pipeline and wind turbine easements
- ☐ life lease title

If **condominium title** is selected then you will have to indicate whether the transfer is under an agreement for purchase and sale or not. Depending on your selection, more details may be required.

Transfer of


- ☐ freehold title
- ☒ condominium title
 - ☐ This is a transfer under an agreement for purchase and sale
 - ☐ This is not a transfer under an agreement for purchase and sale
- ☐ leasehold title
- ☐ statutory easement title, including pipeline and wind turbine easements
- ☐ life lease title

- If the transfer is the result of an agreement for purchase and sale the form will prompt you to provide the appropriate statutory declarations. It will also allow you to indicate that they are not required in this instance.

☒ condominium title

☒ This is a transfer under an agreement for purchase and sale

☐ Section 57 of *The Condominium Act* statutory declarations are not required

 Attach transferor (seller) and transferee (buyer) statutory declarations

☐ This is not a transfer under an agreement for purchase and sale

- If the transfer is not the result of an agreement for purchase and sale there is no prompt.


☒ condominium title

☐ This is a transfer under an agreement for purchase and sale
 ☒ This is not a transfer under an agreement for purchase and sale


If you select **statutory easement or life lease title** a tip will remind you to make sure all of the appropriate evidence is attached.

Transfer of

☐ freehold title
 ☐ condominium title
 ☐ leasehold title
 ☒ statutory easement title, including pipeline and wind turbine easements

 Attach grantee eligibility evidence

☒ life lease title

 Attach assignment as evidence

Box 2: Information to be provided by transferor

2. INFORMATION TO BE PROVIDED BY TRANSFEROR

Transferor to provide

- ☐ title issuing instructions
- ☐ *The Farm Lands Ownership Act* evidence
- ☐ fair market value evidence
- ☐ transferee name, address for service, tenancy and interest

Certain information and evidence can be provided either by the transferee or the transferor. Use this box to indicate which of that information will be provided by the transferor. You are able to select as many options as are applicable, including making no selection.

- For each option **selected** a box will expand further down the form for the transferor to provide the required information prior to the first of two locking steps.
- For each option **left unselected** a box will expand after the initial form lock for the transferee to complete.

The following example outlines how the box would appear in the form depending on whether an option has been selected on box 2 or not:

2. INFORMATION TO BE PROVIDED BY TRANSFEROR

Transferor to provide

- ☐ title issuing instructions
- ☐ *The Farm Lands Ownership Act* evidence
- ☒ fair market value evidence
- ☐ transferee name, address for service, tenancy and interest

☒ fair market value evidence

8. FAIR MARKET VALUE (PROVIDED BY TRANSFEROR)

- ☐ Fair market value for all land in this transfer
- ☐ Fair market value for each land in this transfer

☐ fair market value evidence

16. FAIR MARKET VALUE (PROVIDED BY TRANSFEE)

- ☐ Fair market value for all land in this transfer
 - ☐ Fair market value for each land in this transfer
- The fair market value evidence will be signed by
- ☐ Solicitor and agent
 - ☐ Specified transferee
 - ☐ All transferees

Box 3: Transferor

3. TRANSFEROR

- ☐ Individual
- ☐ Corporation
- ☐ Executor, Administrator, Trustee
- ☐ Government and Government Agency
- ☐ Public School

In order to enter the name(s) of the transferor(s) the form requires you to first specify their nature. Depending on the selection you make, further options may become available. The following section will give an overview of each option.

- If **Individual** is selected, the box will expand to show several fields in which to add one or more individual transferor.
 - Additional information may be required if the transfer is not going to be signed by the transferor.

☒ Individual

Given Name

Middle Names

Surname

Suffix

+

-

☐ Deceased joint tenant

Signed ☐ pursuant to a power of attorney ☐ by a committee or substitute decision maker ☐ pursuant to a court order

- If **Corporation** is selected, the box will expand to show a field in which to add one or more corporate transferor.
 - Additional information may be required if the transfer is not going to be signed by the transferor.

☒ Corporation

Corporation Name

+

-

Signed pursuant to a ☐ power of attorney ☐ court order

- If **Executor, Administrator or Trustee** is selected, the box will expand to show additional options which will allow the transferor to specify the nature of the trust.
 - These options will allow you to specify if the transferor is the executor or administrator of an estate, a trustee in bankruptcy, or the trustees of a religious society or of a cemetery trust.
 - Additional fields will appear when one of the options is selected allowing for the entry of the particulars of the trust.

☒ Executor, Administrator, Trustee

☐ Executor

☐ Administrator

☐ Bankruptcy

☐ Religious Society under *The Religious Societies' Lands Act*

☐ Cemetery Trust under *The Cemeteries Act*

- If **Government and Government Agency** is selected, the box will expand to show a field in which to add one or more government transferors. It will also allow you to specify the method of execution that will be used.

☒ Government and Government Agency

Name

Method of Execution

☒ Signature will be accompanied by corporate seal. There will be no witness.


☐ Signature will be witnessed by a person entitled to administer oaths under *The Manitoba Evidence Act*.
No affidavit of witness will be prepared.

☐ Signature will be witnessed. Affidavit of witness will be prepared.

☐ Signature will be countersigned by a person authorized by the Federal Minister of Justice.

- If **Public School** is selected, the box will expand to show a field in which to add one or more public school transferors. It will prompt you to include the necessary approval letter.

☒ Public School

 Attach letter of approval from public schools finance board

☒ School Division ☐ School District

The School Division

Box 4: Land description and affecting instruments

4. LAND DESCRIPTION AND AFFECTING INSTRUMENTS

Land 1



- ☒ All or part of a title
- ☐ All units in a condominium plan
- ☐ All lots, blocks and parcels in a plan


- ☒ Current title number
- ☐ Issuing from title number

- ☒ All
- ☐ Part

Land Description

The land that this transfer will affect is to be provided in this box. The first three options allow the transferor to indicate whether the affected land is all or part of a title, all the units in a condominium plan, or all the lots, blocks and parcels in a particular plan. The form allows you to enter multiple affected lands.

All or part of a title

- 1) Normally you will select **all or part of a title**. The only times you will not do this is when the transfer affects are all the units in a condominium plan, or all the lots and blocks or parcels in a particular plan.
 - Only one title at a time can be described when **all or part of a title** is selected.
 - Additional land can be added by selecting the  icon and inserting the title number and associated land description

2) Select one of the following:

- **Current title number** if the title number is and will be active when the transfer is registered against it.

☒ Current title number ☐ Issuing from title number

- **Issuing from title number** if a document is to be registered which will cancel the current title for the affected lands prior to the registration of the transfer, including a document registered prior in series to the transfer.

☐ Current title number ☒ Issuing from title number

3) Provide the **title number** in both cases and then choose either:

- **All** if the transfer will affect all of the land in the affected title.
 - Provide the land description for the affected title in the field provided.

1234567/1 ☒ All ☐ Part

Land Description

lots 1 and 2 block 1 plan 1 WLTO

- **Part** if the transfer will affect only some of the land in the affected title.
 - Provide the land description for the affected land in the field provided.

1234567/1 ☐ All ☒ Part

Land Description

lot 1 block 1 plan 1 WLTO

All units in a condominium plan


☐ All or part of a title

☒ All units in a condominium plan

☒ deposit number to be registered at

☐ plan number

☐ All lots, blocks and parcels in a plan

- 1) Select **all units in a condominium plan** if the transfer will affect all of the units in a condominium plan.
 - Only one plan at a time can be described when this option is selected.
 - Additional plan/deposit numbers with associated title numbers can be added by selecting the  icon.
 - Several additional fields will be available to provide additional information on the land.
 - The land description field will be auto populated based on how those fields are completed.

2) Provide either the:

- **Deposit number** and office in which the plan is to be registered.

☒ All units in a condominium plan

☒ deposit number to be registered at

☐ plan number

- Or the **Plan number** and office if the plan has already been registered.

☒ All units in a condominium plan

☐ deposit number

☒ plan number

3) Select one of the following:

- **Current title number** if the title number is now and will be active when the transfer is registered.

☒ Current title number ☐ Issuing from title number

- **Issuing from title number** if a document is to be registered which will cancel the current title for the affected lands prior to the registration of the transfer, including a document registered prior in series to the transfer.

☐ Current title number ☒ Issuing from title number


4) Provide the **title number(s)**

- Multiple title numbers can be added.

☒ Current title number ☐ Issuing from title number

☒ All ☐ Part

All lots, blocks and parcels in a plan

- 1) Select **all lots, blocks and parcels in a plan** if the transfer will be registered against all of the lots, blocks and parcels in a plan.
 - Only one plan at a time can be described when this option is selected.
 - Additional plan/deposit numbers with associated title numbers can be added by selecting the  icon.
 - Several additional fields will be available to provide additional information on the land.
 - The land description field will be auto populated based on how those fields are completed.

☐ All or part of a title

☐ All units in a condominium plan

☒ All lots, blocks and parcels in a plan

☒ deposit number to be registered at

☐ plan number

- 2) Provide either the:
 - **Deposit number** and office in which the plan is to be registered.

☒ All lots, blocks and parcels in a plan

☒ deposit number to be registered at

☐ plan number

- Or the **Plan number** and office if the plan has already been registered.

☒ All lots, blocks and parcels in a plan

☐ deposit number

☒ plan number

- 3) Select one of the following:
 - **Current title number** if the title number is now and will be active when the transfer is registered.

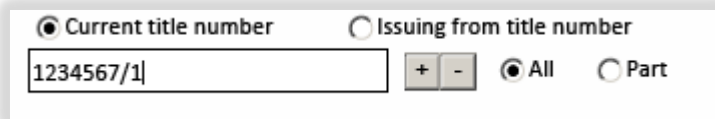
☒ Current title number ☐ Issuing from title number

- **Issuing from title number** if a document is to be registered which will cancel the current title for the affected lands prior to the registration of the transfer, including a document registered prior in series to the transfer.

☐ Current title number ☒ Issuing from title number

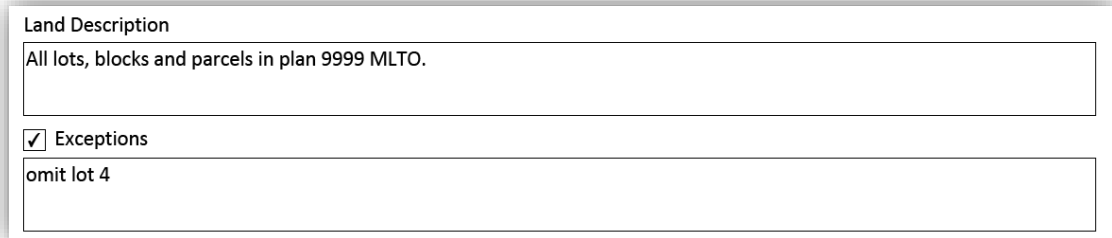
4) Provide the **title number**.

- Multiple title numbers can be added.



A form for entering a title number. It has two radio buttons: 'Current title number' (selected) and 'Issuing from title number'. Below the radio buttons is a text input field containing '1234567/1'. To the right of the input field are two buttons: '+' and '-'. Further right are two more radio buttons: 'All' (selected) and 'Part'.

The land description will automatically build based on the information you provide, however you are can add exceptions if you choose to.

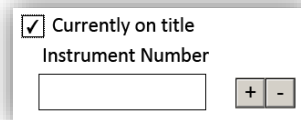


A form for land description and exceptions. It has a section titled 'Land Description' with a text input field containing 'All lots, blocks and parcels in plan 9999 MLTO.'. Below this is a section titled 'Exceptions' with a checked checkbox and a text input field containing 'omit lot 4'.

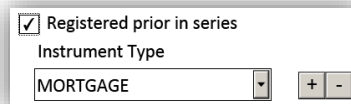
Affecting instruments

After describing the affected land, you are required to list the instruments on the title(s) affected by the transfer to be carried forward to the title(s) created by the transfer.

- If the instrument is already registered on title, select **currently on title** and then provide the instrument number(s).
- If the instrument is to be registered prior in series to the transfer, select **registered prior in series** and then select the instrument type from the drop down list (you cannot enter the instrument number as you will not know it at the time of preparation).



A form for 'Currently on title'. It has a checked checkbox and a text input field for 'Instrument Number'. To the right of the input field are two buttons: '+' and '-'.



A form for 'Registered prior in series'. It has a checked checkbox and a dropdown menu for 'Instrument Type'. The dropdown menu is open, showing 'MORTGAGE'. To the right of the dropdown menu are two buttons: '+' and '-'.

- The drop down list only contains those instruments that can be carried forward at the time of a transfer. As such a mortgage is available to select from the list but a change of address for service is not.

Box 5: Consideration

5. CONSIDERATION

- ☒ Receipt of Canadian Dollar (CAD) is acknowledged.
- ☐ Receipt of
and other good and valuable consideration is acknowledged.
- ☐ No monetary consideration.

There are three options to select from when providing the consideration in a transfer:

- A specific amount

☒ Receipt of Canadian Dollar (CAD) is acknowledged.

- A specific amount with an indication that there is other good and valuable consideration

☒ Receipt of Canadian Dollar (CAD)
and other good and valuable consideration is acknowledged.

- No monetary consideration

☒ No monetary consideration.

Specify:

When you are providing a specified amount you are able to define the relevant currency type from the dropdown list. The list defaults to Canadian Dollar (CAD).

Box 6 (transferor) and box 14 (transferee): Title issuing instructions

Title issuing instructions are requests that are made to land titles regarding the title, such as consolidating or separating the titles. Boxes 6 and 14 are entirely optional. In most scenarios, you will not need to providing title issuing instructions at all.

- If no one is providing title issuing instructions, do not make any selection in box 2 or box 14.
- If there will be title issuing instructions, they can be provided by either the transferor or the transferee.
 - If the transferor will be providing this information, indicate this in box 2.
 - If the transferee will be providing the information, do not make not make any selection in box 2.

2. INFORMATION TO BE PROVIDED BY TRANSFEROR
Transferor to provide
☒ title issuing instructions
☐ *The Farm Lands Ownership Act* evidence
☐ fair market value evidence
☐ transferee name, address for service, tenancy and interest

If the transferor will be providing title issuing instructions, boxes 6 and 14 will display as follows:

6. TITLE ISSUING INSTRUCTIONS (PROVIDED BY TRANSFEROR)

- ☐ Consolidate titles
- ☐ Separate titles
- ☐ Other

14. TITLE ISSUING INSTRUCTIONS (PROVIDED BY TRANSFEE)

Not applicable. Transferor provided title issuing instructions.

If transferee will be providing title issuing instructions, boxes 6 and 14 will display as follows:

6. TITLE ISSUING INSTRUCTIONS (PROVIDED BY TRANSFEROR)

Not applicable. Transferee to provide title issuing instructions.

14. TITLE ISSUING INSTRUCTIONS (PROVIDED BY TRANSFEE)

- ☐ Consolidate titles
- ☐ Separate titles
- ☐ Other

If you choose to select either **consolidate titles**, **separate titles**, or **other** you will be provided a text box in which to expand on your request.

Box 7 (transferor) and box 15 (transferee): *The Farm Lands Ownership Act* evidence

Boxes 7 and 15 have the same fields to be completed.

- You will complete only one box or the other depending on the selection made in box 2.
- *Farm Lands Ownership Act* evidence can be provided by either the transferor or the transferee.
 - If the transferor will be providing this evidence, indicate this in box 2.
 - If the transferee will be providing the evidence, do not make any selection in box 2.

2. INFORMATION TO BE PROVIDED BY TRANSFEROR

Transferor to provide

☐ title issuing instructions

☒ *The Farm Lands Ownership Act* evidence



Evidence that is specific to a transferee must be provided by that transferee

☐ fair market value evidence

☐ transferee name, address for service, tenancy and interest

If transferor will be providing *Farm Lands Ownership Act* evidence, boxes 7 and 15 will display as follows:

7. THE FARM LANDS OWNERSHIP ACT EVIDENCE (PROVIDED BY TRANSFEROR)

The registration of this instrument does not contravene the provisions of *The Farm Lands Ownership Act* because

- ☐ The within land is not farm land as defined in *The Farm Lands Ownership Act*.
- ☐ All of the within lands are farm land and are being acquired in realization or settlement of a mortgage or encumbrance.
- ☐ Some of the within lands are farm land and the farm lands are being acquired in realization or settlement of a mortgage or encumbrance.
- ☐ The within farm land is exempt by Manitoba Regulation 325/87 R of *The Real Property Act* (i.e. it is 5 acres or less).
- ☐ Other

15. THE FARM LANDS OWNERSHIP ACT EVIDENCE (PROVIDED BY TRANSFEE)

Not applicable. Transferor provided *The Farm Lands Ownership Act* evidence.

If transferee will be providing *Farm Lands Ownership Act* evidence boxes 7 and 15 will display as follows:

7. THE FARM LANDS OWNERSHIP ACT EVIDENCE (PROVIDED BY TRANSFEROR)

Not applicable. Transferee to provide *The Farm Lands Ownership Act* evidence.

15. THE FARM LANDS OWNERSHIP ACT EVIDENCE (PROVIDED BY TRANSFEEE)

The registration of this instrument does not contravene the provisions of *The Farm Lands Ownership Act* because

- ☐ The within land is not farm land as defined in *The Farm Lands Ownership Act*.
- ☐ All of the within lands are farm land and are being acquired in realization or settlement of a mortgage or encumbrance.
- ☐ Some of the within lands are farm land and the farm lands are being acquired in realization or settlement of a mortgage or encumbrance.
- ☐ The within farm land is exempt by Manitoba Regulation 325/87 R of *The Real Property Act* (i.e. it is 5 acres or less).
- ☐ Each transferee will give individual evidence.

The Farm Lands Ownership Act will be signed by

- ☒ Solicitor and agent
- ☐ All transferees

Please note that in some circumstances evidence is specific to a transferee and cannot be given by the transferor.

When the transferor is providing the *Farm Lands Ownership Act* evidence and none of the options listed are appropriate you may provide a custom statement in the box following the **other** option located at the end of the list.

When the transferees are giving evidence and it is indicated that each transferee will be providing individual evidence, the *Farm Lands Ownership Act* evidence statements will generate for each transferee on the signature pages.

- ☒ Each transferee will give individual evidence.

In such a situation, an additional selection will be required. You will have to indicate who will be providing this evidence, the transferees themselves or a solicitor and agent:

The Farm Lands Ownership Act will be signed by

- ☒ Solicitor and agent
- ☐ All transferees

Box 8 (transferor) and box 16 (transferee): Fair market value

Boxes 8 and 16 have the same fields to be completed.

- You will complete only one box or the other depending on the selection made in box 2.
- Fair market value evidence can be provided by either the transferor or the transferee.
 - If the transferor will be providing this evidence, indicate this in box 2.
 - If the transferee will be providing the evidence, do not make any selection in box 2.

2. INFORMATION TO BE PROVIDED BY TRANSFEROR

Transferor to provide

- ☐ title issuing instructions
- ☐ *The Farm Lands Ownership Act* evidence
- ☒ fair market value evidence
- ☐ transferee name, address for service, tenancy and interest

If transferor is providing the fair market value boxes 8 and 16 will display in as follows:

8. FAIR MARKET VALUE (PROVIDED BY TRANSFEROR)

- ☐ Fair market value for all land in this transfer
- ☐ Fair market value for each land in this transfer

16. FAIR MARKET VALUE (PROVIDED BY TRANSFEE)

Not applicable. Transferor provided fair market value evidence.

If transferee is providing the fair market value boxes 8 and 16 will display as follows:

8. FAIR MARKET VALUE (PROVIDED BY TRANSFEROR)

Not applicable. Transferee to provide fair market value evidence.

16. FAIR MARKET VALUE (PROVIDED BY TRANSFEE)

- ☐ Fair market value for all land in this transfer
 - ☐ Fair market value for each land in this transfer
- The fair market value evidence will be signed by
- ☐ Solicitor and agent
 - ☐ Specified transferee
 - ☐ All transferees

The two options available to choose from in box 8 or 16 are:

- 1) **Fair market value for all of the land in this transfer.** Use this option when all of the lands contained within the transfer are covered under one fair market value.
 - a) Enter the value in Canadian dollars, regardless of the currency used for the consideration, and
 - b) Indicate if the value of the interest in the land being transferred is the same (all interests in that land is being conveyed) or is different from the fair market value of the land as a whole (where only a certain interest in the land is being conveyed).

☒ Fair market value for all land in this transfer

In accordance with Part III of *The Tax Administration and Miscellaneous Taxes Act*, I certify that

The fair market value of all the within land as a whole is Canadian Dollar (CAD).

The fair market value of the interest in the land affected by this transfer is ☐ the same.

☐ Canadian Dollar (CAD).

- 2) There is a separate **fair market value for each of the lands in the transfer.**

- a) Enter the value in Canadian dollars for each land, and
- b) Indicate if the value of the interest in each of the lands being transferred is the same (all interest in that land is being conveyed) or is different from the fair market value of the land as a whole (where only a certain interest in the land is being conveyed).

☒ Fair market value for each land in this transfer

In accordance with Part III of *The Tax Administration and Miscellaneous Taxes Act*, I certify that

The fair market value of Land 1 as a whole is Canadian Dollar (CAD).

The fair market value of the interest in Land 1 affected by this transfer is ☐ the same.

☐ Canadian Dollar (CAD).

If the transferee will be providing the fair market value evidence, an additional selection will be required. You will also have to indicate who will be signing as to this evidence:

The fair market value evidence will be signed by

- ☒ Solicitor and agent
- ☐ Specified transferee
- ☐ All transferees

Box 9 (transferor) and box 12 (transferee): Transferee name and address for service

Boxes 9 and 12 have the same fields to be completed.

- You will complete only one box or the other depending on the selection made in box 2.
- The information can be provided by either the transferor or the transferee.
 - If the transferor will be providing this information, indicate this in box 2.
 - If the transferee will be providing the information, do not make not make any selection in box 2.

2. INFORMATION TO BE PROVIDED BY TRANSFEROR

Transferor to provide

- ☐ title issuing instructions
- ☐ *The Farm Lands Ownership Act* evidence
- ☐ fair market value evidence
- ☒ transferee name, address for service, tenancy and interest

Please note: While there is only one the selection in box 2 to indicate who will be providing the transferee name, address for service, tenancy and interest information, this information is collected in two separate boxes in the form. This information will be collected in boxes 9 and 10 if the transferor is providing this information and in boxes 12 and 13 if the transferee is providing this information.

If transferor is providing the transferee name and address for service, boxes 9 and 12 will display as follows:

9. TRANSFEREE NAME AND ADDRESS FOR SERVICE (PROVIDED BY TRANSFEROR)

- ☐ Individual
- ☐ Corporation
- ☐ Executor, Administrator, Trustee
- ☐ Government and Government Agency
- ☐ Public School

12. TRANSFEREE NAME AND ADDRESS FOR SERVICE (PROVIDED BY TRANSFEE)

Not applicable. Transferor provided transferee name and address for service.

If transferee is providing the transferee name and address for service, boxes 9 and 12 will display as follows:

9. TRANSFEREE NAME AND ADDRESS FOR SERVICE (PROVIDED BY TRANSFEROR)


Not applicable. Transferee to provide transferee name and address for service.

12. TRANSFEREE NAME AND ADDRESS FOR SERVICE (PROVIDED BY TRANSFEREE)

- ☐ Individual
- ☐ Corporation
- ☐ Executor, Administrator, Trustee
- ☐ Government and Government Agency
- ☐ Public School

There are several options for providing information on the transferee(s). The following section will give an overview of each option.

- If **Individual** is selected, the box will expand to show several fields in which to add one or more individual transferees together with their address for service.

<input checked="" type="checkbox"/> Individual  Full legal name required				
Given Name	Middle Names	Surname	Suffix	<div>+ -</div>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Address for Service				
<input type="text"/>				
<input type="text"/>				
City	Province	Country	Postal Code	
<input type="text"/>	<input type="text"/>	<input type="text" value="CANADA"/>	<input type="text"/>	

- If **Corporation** is selected, the box will expand to show a field in which to add one or more corporate transferees together with their address for service.

☒ Corporation

Corporation Name

Address for Service

City

Province

Country

Postal Code

- If **Executor, Administrator or Trustee** is selected, the box will expand to show additional options which will allow the transferee to specify the nature of the trust or trusts.
 - These options will allow you to specify if the transferee is the estate of a deceased person, the estate of a bankrupt person, a religious society or a cemetery trust.

☒ Executor, Administrator, Trustee

☐ Executor

☐ Administrator

☐ Bankruptcy

☐ Religious Society under *The Religious Societies' Lands Act*

☐ Cemetery Trust under *The Cemeteries Act*

- Additional fields will appear when one of the options is selected allowing for the entry of the particulars of each trust.

- If **Government and Government Agency** is selected, the box will expand to show a field in which to add one or more government transferees together with their address for service.

☒ Government and Government Agency


Name

Address for Service

City Province Country Postal Code

- If **Public School** is selected, the box will expand to show a field in which to add one or more public school transferees together with their address for service. It will prompt you to include the necessary approval letter.

☒ Public School

☒ School Division ☐ School District  Attach letter of approval from public schools finance board

The School Division

Address for Service

City Province Country Postal Code

Box 10 (transferor) and box 13 (transferee): Tenancy and interest acquired

Boxes 10 and 13 have the same fields to be completed.

- You will complete only one box or the other depending on the selection made in box 2.
- The information can be provided by either the transferor or the transferee.
 - If the transferor will be providing this information, indicate this in box 2.
 - If the transferee will be providing the information, do not make not make any selection in box 2.

2. INFORMATION TO BE PROVIDED BY TRANSFEROR


Transferor to provide

- ☐ title issuing instructions
- ☐ *The Farm Lands Ownership Act* evidence
- ☐ fair market value evidence
- ☒ transferee name, address for service, tenancy and interest

Please note: While there is only one selection in box 2 to indicate who will be providing the transferee name, address for service, tenancy and interest information, this information is collected in two separate boxes in the form. This information will be collected in boxes 9 and 10 if the transferor is providing this information and in boxes 12 and 13 if the transferee is providing this information.

If transferor is providing the tenancy and interest acquired boxes 10 and 13 will display in as follows:

10. TENANCY AND INTEREST ACQUIRED (PROVIDED BY TRANSFEROR)

 Multiple interests can be used to create a tenancy in common with specified interests.

Interest 1



- ☒ One transferee ☐ Joint tenancy ☐ Tenancy in common without specified interest

☒ as to

☐ as to an undivided / interest in

13. TENANCY AND INTEREST ACQUIRED (PROVIDED BY TRANSFEEE)


Not applicable. Transferor provided transferee tenancy and interest.

If transferee is providing the tenancy and interest acquired boxes 10 and 13 will display as follows:

10. TENANCY AND INTEREST ACQUIRED (PROVIDED BY TRANSFEROR)

Not applicable. Transferee to provide transferee tenancy and interest.

13. TENANCY AND INTEREST ACQUIRED (PROVIDED BY TRANSFEE)

 Multiple interests can be used to create a tenancy in common with specified interests.

Interest 1

☒ One transferee

☐ Joint tenancy


☐ Tenancy in common without specified interest

☒ as to an estate in fee simple

☐ as to an undivided / interest in an estate in fee simple

There are several options for providing information on tenancy and interest acquired. The following section will discuss on overview of the options available. For more detailed examples, please see [Appendix A](#).

While the form allows for the creation and entry of multiple interests, no matter how many transferees you have added, the form defaults to one interest being created and one transferee acquiring that entire interest.

- The use of one interest is appropriate where:
 - one transferee acquires the entire interest, or
 - multiple transferees will be acquiring the entire interest either as joint tenants, or as tenants in common without specified individual interests.
- More than one interest is to be used where the interest being transferred is being divided into multiple specified interests. Additional interests are added using the  button.

Once the number of interests has been defined, you are able to provide information on the each transferee's specific interest. Start by selecting either: **one transferee**, **joint tenancy**, or **tenancy in common without a specified interest**. If there is only one transferee, this is the only option that will be available to select.

☒ One transferee

☐ Joint tenancy

☐ Tenancy in common without specified interest

Next select which transferee will be acquiring the interest. The names of the transferees provided in box 9/12 will be available in the drop down list to select from. Use the list to select the names of the transferees appropriate to the interest they will be acquiring.

One transferee:

10. TENANCY AND INTEREST ACQUIRED (PROVIDED BY TRANSFEROR)
Multiple interests can be used to create a tenancy in common with specified interests.

Interest 1

☒ One transferee ☐ Joint tenancy ☐ Tenancy in common without specified interest

John Jeanson
John Jeanson
Jan Jeanson

☒ as to an undivided / interest in an estate in fee simple

More than one transferee:

10. TENANCY AND INTEREST ACQUIRED (PROVIDED BY TRANSFEROR)
Multiple interests can be used to create a tenancy in common with specified interests.

Interest 1

☐ One transferee ☒ Joint tenancy ☐ Tenancy in common without specified interest

Jan Jeanson
John Jeanson
John Jeanson
Jan Jeanson

Once the transferees have been defined you will need to identify the tenancy type from the drop down list associated to. The options are:

- **Estate in fee simple.**
- **Estate in remainder expectant upon the death of...**
 - If this option is selected there will be additional fields that expand to provide more details on the estate in remainder
- **Life estate for the natural life of...**
 - If this option is selected there will be additional fields that expand to provide more details on the life estate

This drop down menu is the same whether selecting:

- One transferee, joint tenancy or tenants in common without specified interest.

☒ as to an estate in fee simple
☐ as to an estate in fee simple
an estate in remainder expectant upon the death of
a life estate for the natural life of

- A non-specified or an undivided specified interest.

☒ as to an undivided / interest in an estate in fee simple
an estate in fee simple
an estate in remainder expectant upon the death of
a life estate for the natural life of


Finally, if you have selected an undivided specified interest, you must insert the numbers necessary to create the appropriate fraction.

Box 11: Transferor section of instrument prepared by

This box is for the person who prepared the transferor section to provide their contact information. There are several fields available in this box. A description of each field is provided below:

Name:	These fields (given name, middle names, surname and suffix) can be used to provide an individual contact name for the transferor(s).
Company:	This is an optional field that can be used to provide the company name of the transferor(s).
Phone Number:	A telephone number is required and only numeric input should be used. The fields are large enough to accommodate both local and international telephone numbers. The extension number is optional and can be a maximum of five digits.
Email:	An email address is required and shall follow the standard email address format. Example: me@mywork.com
File Number:	This optional field that can be used by the transferor(s) as a means to connect the registration to their internal file number or naming system.
Description:	Like the File Number, this is an optional field that can be used by the transferor(s) to connect the registration to their internal filing system.

Example of box 11:

11. TRANSFEROR SECTIONS OF INSTRUMENT PREPARED BY						
Given Name	<input type="text" value="Jack"/>	Middle Names	<input type="text"/>	Surname	<input type="text" value="Jackson"/>	Suffix <input type="text" value="Sr."/> 
Company	<input type="text" value="JJ Law Corp"/>					
Telephone +	<input type="text" value="1"/>	<input type="text" value="204"/>	<input type="text" value="1234567"/>	Extension	<input type="text"/>	E-Mail <input type="text" value="help@jjlaw.ca"/>
File Number	<input type="text" value="2016-0-RH"/>			Description	<input type="text"/>	

Box 17: Solicitor and agent providing evidence for transferees

The purpose of this box is to indicate the particulars of a solicitor and agent if a solicitor and agent is providing evidence. This may affect the details on the transferee signatures pages.

This box will need to be completed if:

1. It was previously indicated in box 2 that the transferee will be providing fair market value and/or *Farm Lands Ownership Act* evidence.
and
2. A solicitor and agent is in fact providing this evidence on behalf of the transferees as indicated in box 15 and 16:

The *Farm Lands Ownership Act* will be signed by

- ☒ Solicitor and agent
☐ All transferees

The fair market value evidence will be signed by

- ☒ Solicitor and agent
☐ Specified transferee
☐ All transferees

and/or

If the transferor is providing all of the evidence then box 17 will display as follows:

17. SOLICITOR AND AGENT PROVIDING EVIDENCE FOR TRANSFEREES

Not applicable. Transferor provided both fair market value and *The Farm Lands Ownership Act* evidence.

If at least one of the transferees is providing all of the evidence then box 17 will display as follows:

17. SOLICITOR AND AGENT PROVIDING EVIDENCE FOR TRANSFEREES

Not applicable. Solicitor and agent will not provide evidence for transferees.

If a solicitor and agent for the transferee(s) is providing either the fair market value evidence or the *Farm Lands Ownership Act* evidence (or all the evidence) then box 17 will display as follows:

17. SOLICITOR AND AGENT PROVIDING EVIDENCE FOR TRANSFEREES

Given Name

Middle Names

Surname

Suffix

Box 18: Land transfer tax exemption evidence

18. LAND TRANSFER TAX EXEMPTION EVIDENCE

- ☒ No land transfer tax exemption is claimed.
- ☐ The following transferees are claiming land transfer tax exemption.

If a land transfer tax exemption is being claimed it will be indicated here.

The default option is no land transfer tax exemption. If this is the case then no further information is required.


18. LAND TRANSFER TAX EXEMPTION EVIDENCE


- ☒ No land transfer tax exemption is claimed.
- ☐ The following transferees are claiming land transfer tax exemption.

If there is an exemption to be claimed then several more fields will expand for you to provide the details of the exemption. First you will need to select the transferee claiming an exemption from the dropdown list.

☒ The following transferees are claiming land transfer tax exemption.

John Smith	+	-
John Smith		
Jane Smith		



If more than one transferee is claiming an exemption you can add additional transferees with the  option.

Once the transferee claiming the exemption has been identified, you will select the nature of the exemption from the list provided. For each exemption type several additional fields will need to be completed. The list of available exemptions is based on the nature of the transferors and the transferees in the Transfer. For example, a corporation cannot claim a transfer of non-commercial property exemption from their spouse or common-law partner.

The exemption types are as follows:

- Non-Commercial Property

Exemption:

☒ Non-Commercial Property

☐ The transfer is of a non-commercial property by a person to the person's spouse or common-law partner or former spouse or common-law partner.

☐ Farmland

☐ Subdivision

☐ Other

- Farmland

Exemption:

- ☐ Non-Commercial Property
- ☒ Farmland
 - ☐ The land is farmland, the transferee is a farmer and the land will continue to be used for farming.
 - ☐ The land is farmland, the transferee is the spouse or common-law partner of a farmer and the land will continue to be used for farming.
 - ☐ The land is farmland, the transferee is a farmer and the land will continue to be used for farming. A co-transferee is the spouse or common-law partner of the farmer.
- ☐ Subdivision
- ☐ Other

- Subdivision

Exemption:

- ☐ Non-Commercial Property
- ☐ Farmland
- ☒ Subdivision
 - ☐ The transfer is for the purposes of facilitating a scheme of subdivision and is from the registered owner to a trustee for subdivision purposes.
 - ☐ The transfer is for the purposes of facilitating a scheme of subdivision and is from a trustee for subdivision purposes back to the original registered owner.
- ☐ Other

- Other

Exemption:

- ☐ Non-Commercial Property
- ☐ Farmland
- ☐ Subdivision
- ☒ Other
 - ☐ The transferee is the same party as the transferor.
 - ☐ The transfer is filed to correct an error in a previous transfer and the correct land transfer tax was paid in that transfer.
 - ☐ The transferor is the director of the *Veterans Land Act* and the transferee is a veteran.
 - ☐ The transferor is the director of the *Veterans Land Act* and the transferee is the spouse or common-law partner of a veteran.
 - ☐ The transferee is acquiring the land for the use and benefit of an Indian band for treaty land entitlement purposes pursuant to s. 113(3) of *The Tax Administration and Miscellaneous Taxes Act*.

Box 19: Implied covenants in transfer

19. IMPLIED COVENANTS IN TRANSFER



No selection is required.

- ☐ The implied covenants set out in s. 77 of *The Real Property Act* are hereby negated.
- ☐ The implied covenants set out in s. 77 of *The Real Property Act* are hereby negated as to the following mortgages and encumbrances.

In every transfer affecting land subject to a mortgage or an encumbrance, *The Real Property Act* implies certain covenants on behalf of by transferee. These covenants can be negated. Negating implied covenants can be done in Box 19 at the discretion of the transferee. There are two options:

- ☒ The implied covenants set out in s. 77 of *The Real Property Act* are hereby negated.
- ☐ The implied covenants set out in s. 77 of *The Real Property Act* are hereby negated as to the following mortgages and encumbrances.

Or

- ☐ The implied covenants set out in s. 77 of *The Real Property Act* are hereby negated.
- ☒ The implied covenants set out in s. 77 of *The Real Property Act* are hereby negated as to the following mortgages and encumbrances.

Specify

Box 20: Transferee section of instrument prepared by

This box is for the person who prepared the transferee section to provide their contact information.

A description of each field is provided below:

Name:	These fields (given name, middle names, surname and suffix) can be used to provide an individual contact name for the registering party.
Company:	This is an optional field that can be used to provide the company name of the registering party.
Phone Number:	A telephone number is required and only numeric input should be used. The fields are large enough to accommodate both local and international telephone numbers. The extension number is optional and can be a maximum of five digits.
Email:	An email address is required and shall follow the standard email address format. Example: me@mywork.com
File Number:	This optional field that can be used by the registering party as a means to connect the registration to their internal file number or naming system.
Description:	Like the File Number, this is an optional field that can be used by the registering party to connect the registration to their internal filing system.

There are several fields available in this box. If the same person has prepared both the transferor and the transferee sections of the transfer then this can be indicated by selecting the checkbox. The information in box 20 will auto-fill to duplicate box 11.

Example of box 20:

20. TRANSFEREE SECTIONS OF INSTRUMENT PREPARED BY
☐ Same person who prepared the transferor sections of the instrument
Given Name Middle Names Surname Suffix
Company
Telephone + Extension E-Mail
File Number Description

Security features

The eTransfer is unique from our other eForms in that there are often two parties completing different sections of the form (transferor section and transferee section). To accommodate the option of having information on the content pages being provided by two separate parties at two different points in time we created a double locking form. See [Saving and Locking Features](#) for more information.


Once the transferor section is locked, four security features will be embedded onto each page. The security features are unique to each individually created document and offer a level of protection and encryption of the information.

Control Image

Control Number

For your protection, ensure the following before signing:

1. The exact image and the barcode below, are present on all transferor content and signature pages.
2. The 32 character control number below is present and identical on all transferor content and signature pages.
94CE-6629-B2BB-4B46-EBF9-6206-05BB-A5BA
3. All 3 Transfer of Land transferor content pages are present.



Print Transferor Pages

Transferor Signature Page 2 of 2 for John J Johnson

Control Barcode


Content Page Numbers

The form can then be locked a second time by the transferee. After the second lock, a new control image and number are added to the security section at the bottom of the transferee sections of the form. The details of completed security images are as follows:

- The transferor security image and control number will appear on every page of the transfer (transferor and transferee pages).
- The transferee security image and control number will appear on every page of the transferee section only.

For your protection, ensure the following before signing:

1. The first image is present on all pages. The second image and the barcode, are present on all transferee content and signature pages.
2. The 32 character control number below is present and identical on all transferee content and signature pages.
4444-66E1-27DE-4E75-621E-D7E3-5A86-BC9F
3. All 3 Transfer of Land transferor content pages with control number **94CE-6629-B2BB-4B46-EBF9-6206-05BB-A5BA** are present.
4. All 3 Transfer of Land transferee content pages are present.



Print Transferor and Transferee Pages

Transferee Content Page 3 of 3

- There are several reasons why it is important to be mindful of the security features:
 - New security images will be generated every time the form is locked.

- If the transferee section form is locked, unlocked to make changes, and then subsequently relocked, all of the signature pages previously created become invalid. This is not an issue for the transferor security features because you are not able to unlock the transferor section to make changes.
 - The security features ensure that every party to the document has seen the same version and no pages have been substituted, replaced or altered.
 - The document can be easily reassembled by making sure all the security features on each page match.
 - **Please note:** All submitted forms not containing security images as outlined above will be rejected.
-
- The page numbers are indicated at the bottom of each page. The page numbers are specific to the content of the document as well as **each** signature page.



Transferor Content Page 4 of 4

The diagram shows two rectangular boxes representing page footers. The left box contains the text 'Transferor Content Page 4 of 4'. The right box contains the text 'Transferor Signature Page 1 of 2 for Bob Smith'. A red arrow originates from the word 'each' in the list item above and points to the left box. Another red arrow originates from the word 'each' and points to the right box.

Transferor Signature Page 1 of 2 for Bob Smith

This feature will make it easy to ensure the document has been assembled in the correct order and that all pages are included.

Signature and evidence pages

- The **Signature Pages** for the transferor and transferee will be created once that section of the form is locked.
- The signature pages will auto-fill certain fields based on the information provided in Boxes 1 through 20 and the information required on the signatures pages will vary depending on the information provided in these content pages.
- The **Notice to Witness** warning may be included on the signature pages where applicable.
- Separate signature pages will be created for each execution required and may span multiple pages.
- The signature pages can be partially completed on the computer then printed and finished manually
- As the signature pages cannot be completed entirely digitally, no warnings will come up to notify of an incomplete box.
- When first produced, the signature page provides space for only one signing party on behalf of the interest holder.
 - The can be used to add additional signature pages that allow for more than one execution per interest holder.
 - Some examples of when this might be relevant include:
 - If there are several attorneys signing pursuant to a power of attorney.
 - If a corporation's policies require more than one person to sign documents on its behalf.

Transferor signature pages

Many personalized statements will auto-fill onto the signature pages depending on the nature of the transferor. For example, *The Homesteads Act* and age of majority statements for each transferor (if applicable) will appear on the transferor signature pages.

Here is an example of an individual transferor's signature page:

TRANSFEROR SIGNATURES AND EVIDENCE	
1. I am or I am entitled to be the owner of the land.	
2. I hereby transfer to the transferee my interest in the land.	
3. I am of the age of majority.	
4. The registration of this instrument does not contravene the provisions of <i>The Homesteads Act</i> because	
<input type="radio"/> The person consenting to this disposition is my spouse or common-law partner and no other person has homestead rights in this land.	
<input type="radio"/> This land is not my homestead.	
<input type="radio"/> The court has made an order dispensing with the consent of my spouse or common-law partner and no other person has homestead rights in this land. The order dispensing with the consent is attached.	
5. Additional evidence	
<div></div>	
Signature	<div></div>
Date	<div></div> (YYYY-MM-DD)
Transferor	John Jon Johnson

If you were to select the first homestead statement on the list, *The Homesteads Act* consent to disposition and acknowledgement signature page would be added to the transferor signature pages to be completed:

4. The registration of this instrument does not contravene the provisions of *The Homesteads Act* because

- ☒ The person consenting to this disposition is my spouse or common-law partner and no other person has homestead rights in this land.

THE HOMESTEADS ACT
CONSENT TO DISPOSITION AND ACKNOWLEDGEMENT

1. I, the spouse or common-law partner of John Jon Johnson, consent to the disposition of the homestead effected by this instrument and acknowledge that:

☐ I am the first spouse or common-law partner to acquire homestead rights in the property; or

☐ A previous spouse or common-law partner of the transferor acquired homestead rights in the property but those rights have been released or terminated in accordance with *The Homesteads Act*.

2. I am aware that *The Homesteads Act* gives me a life estate in the homestead and that I have the right to prevent this disposition of the homestead by withholding my consent.

3. I am aware that the effect of this consent is to give up my life estate in the homestead to the extent necessary to give effect to this disposition.

4. I execute this consent apart from my spouse or common-law partner freely and voluntarily without any compulsion on the part of my spouse or common-law partner.

5. Additional evidence

SIGNATURE

Signature Date
(YYYY-MM-DD)

Name

WITNESS

Signature Address

Name

Document witnessed by

☐ Notary public in and for the Province of Manitoba

☐ Commissioner for Oaths in and for the Province of Manitoba

☐ A person entitled to administer oaths inside or outside of Manitoba

Title

My commission

☐ Expires on
(YYYY-MM-DD)

☐ Does not expire

Transferee signature pages

Transferee signatures pages can take many forms depending on the information provided in the transferee content pages. There are some transferee content pages that may ask who will be signing to certain statements. For example, if the transferee is completing box 15 (*Famlands Ownership Act* evidence) or box 16 (Fair market value evidence) you will be asked who will be signing: agent, one specified transferee, or all transferees.

Agent

Agent signing:

The Farm Lands Ownership Act will be signed by

- ☒ Solicitor and agent
☐ All transferees

The fair market value evidence will be signed by

- ☒ Solicitor and agent
☐ Specified transferee
☐ All transferees

Corresponding agent signature page:

SIGNATURE AND EVIDENCE OF SOLICITOR AND AGENT FOR TRANSFEREES

1. I am the solicitor and agent for the transferees.
2. I am of the age of majority.
3. The registration of this instrument does not contravene the provisions of *The Farm Lands Ownership Act* because
For: Garth Garry Garthson
The within land is not farm land as defined in *The Farm Lands Ownership Act*.
For: GGG Co.
The within land is not farm land as defined in *The Farm Lands Ownership Act*.
4. In accordance with Part III of *The Tax Administration and Miscellaneous Taxes Act*, I certify that
The fair market value of all the within land as a whole is 500.00 Canadian Dollar (CAD).
The fair market value of the interest in the land affected by this transfer is the same, being 500.00 Canadian Dollar (CAD).
5. Additional evidence

SIGNATURE

Mark Markson as Solicitor and Agent

Signature

Date

(YYYY-MM-DD)

Transferee
Transferee signing:

The Farm Lands Ownership Act will be signed by

☐ Solicitor and agent

☒ All transferees

The fair market value evidence will be signed by

☐ Solicitor and agent

☒ Specified transferee

☐ All transferees

The fair market value evidence will be signed by

☐ Solicitor and agent

☐ Specified transferee

☒ All transferees

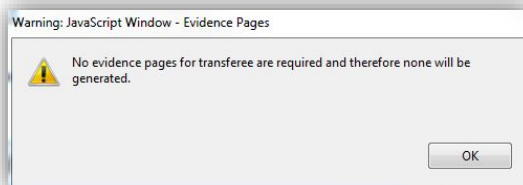
or

Corresponding transferee signature page:

TRANSFEE EVIDENCE	
<p>1. Garth Garry Garthson is a transferee.</p> <p>2. I am of the age of majority.</p> <p>3. The registration of this instrument does not contravene the provisions of <i>The Farm Lands Ownership Act</i> because The within land is not farm land as defined in <i>The Farm Lands Ownership Act</i>.</p> <p>4. In accordance with Part III of The Tax Administration and Miscellaneous Taxes Act, I certify that The fair market value of all the within land as a whole is 500.00 Canadian Dollar (CAD). The fair market value of the interest in the land affected by this transfer is the same, being 500.00 Canadian Dollar (CAD).</p> <p>5. Additional evidence</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>	
SIGNATURE	
<p>Signed by <input checked="" type="radio"/> transferee <input type="radio"/> individual on behalf of the transferee <input type="radio"/> corporation on behalf of the transferee</p>	
Signature	<div style="border: 1px solid black; width: 250px; height: 25px;"></div>
Date	<div style="border: 1px solid black; width: 100px; height: 25px;"></div> (YYYY-MM-DD)
Transferee Name	Garth Garry Garthson

None

If the transferor is providing both the *Farm Lands Ownership Act* evidence and Fair market value evidence and the transferee is not claiming an exemption from Land Transfer Tax then no_transferee signing pages are required.



Questions?

You can find more information and training materials on our website at www.teranetmanitoba.ca.

Please direct any further questions or concerns with regards to account management to our Client Service Team at clientservice@teranet.ca.

Please note: Teranet Manitoba employees cannot answer certain questions due to their legal nature. Where necessary, users should seek independent legal advice or consult with legal staff within their organization as the case may be. Users are advised to ensure that they meet all legal requirements for proper registration. Teranet Manitoba cannot provide legal advice.

Notes

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Appendix A: Tenancy and interest examples (box 10 and 13)

The following outlines a variety of commonly held interests in land and how they can be set up in box 10 or 13.

One interest

1. One transferee:

Interest 1 + -

☒ One transferee ☐ Joint tenancy ☐ Tenancy in common without specified interest

Abbot Abbotson ▼

☒ as to an estate in fee simple ▼

☐ as to an undivided / interest in an estate in fee simple

2. Two transferees as joint tenants:

Interest 1 + -

☐ One transferee ☒ Joint tenancy ☐ Tenancy in common without specified interest

Abbot Abbotson ▼ + -

Bob Bobson ▼ + -

☒ as joint tenants of an estate in fee simple ▼

☐ as joint tenants of an undivided / interest in an estate in fee simple

3. Two transferees as tenants in common without specified interest:

Interest 1 + -

☐ One transferee ☐ Joint tenancy ☒ Tenancy in common without specified interest

Abbot Abbotson ▼ + -

Bob Bobson ▼ + -

☒ as tenants in common of an estate in fee simple ▼

☐ as tenants in common of an undivided / interest in an estate in fee simple

Multiple interests

1. Two transferees each as to an undivided ½ interest:

Interest 1 + -

☒ One transferee ☐ Joint tenancy ☐ Tenancy in common without specified interest

Abbot Abbotson

☐ as to an estate in fee simple

☒ as to an undivided / interest in an estate in fee simple

Interest 2 + -

☒ One transferee ☐ Joint tenancy ☐ Tenancy in common without specified interest

Bob Bobson

☐ as to an estate in fee simple

☒ as to an undivided / interest in an estate in fee simple

2. Two transferees as joint tenants as to an undivided ½ interest with a third transferee owning the remaining undivided ½ interest:

Interest 1 + -

☐ One transferee ☒ Joint tenancy ☐ Tenancy in common without specified interest

Abbot Abbotson + -

Bob Bobson + -

☐ as joint tenants of an estate in fee simple

☒ as joint tenants of an undivided / interest in an estate in fee simple

Interest 2 + -

☒ One transferee ☐ Joint tenancy ☐ Tenancy in common without specified interest

Corb Corbson

☐ as to an estate in fee simple

☒ as to an undivided / interest in an estate in fee simple

3. One transferee as a life estate, with another transferee acquiring the estate in remainder:

Interest 1 + -

☒ One transferee ☐ Joint tenancy ☐ Tenancy in common without specified interest

Abbot Abbotson

☒ as to a life estate for the natural life of

the following person or the survivor of the following persons

☒ a transferee in this transfer ☐ a person other than a person in this transfer

Abbot Abbotson + -

☐ as to an undivided / interest in an estate in fee simple

Interest 2 + -

☒ One transferee ☐ Joint tenancy ☐ Tenancy in common without specified interest

Bob Bobson

☒ as to an estate in remainder expectant upon the death of

the following person or the survivor of the following persons

☒ a transferee in this transfer ☐ a person other than a person in this transfer

Abbot Abbotson + -

☐ as to an undivided / interest in an estate in fee simple

4. Multiple transferees as a life estate, with another transferee acquiring the estate in remainder:

Interest 1 + -

☐ One transferee ☒ Joint tenancy ☐ Tenancy in common without specified interest

Alan Albert Alson + -

Amy Alson + -

☒ as joint tenants of a life estate for the natural life of ▼

the following person or the survivor of the following persons

☒ a transferee in this transfer ☐ a person other than a person in this transfer

Alan Albert Alson + -

☒ a transferee in this transfer ☐ a person other than a person in this transfer

Amy Alson + -

☐ as joint tenants of an undivided /

interest in

Interest 2 + -

☒ One transferee ☐ Joint tenancy ☐ Tenancy in common without specified interest

Andy Alan Alson ▼

☒ as to an estate in remainder expectant upon the death of ▼

the following person or the survivor of the following persons

☒ a transferee in this transfer ☐ a person other than a person in this transfer

Alan Albert Alson + -

☒ a transferee in this transfer ☐ a person other than a person in this transfer

Amy Alson + -

☐ as to an undivided / interest in

Appendix B: Land transfer tax and part interest examples

1. Inter-spousal tax exemption:

3. TRANSFEROR

☒ Individual

Given Name	Middle Names	Surname	Suffix
Barb	Bea	Barbson	<input type="text"/> <input type="button" value="+"/> <input type="button" value="-"/>

13. TENANCY AND INTEREST ACQUIRED (PROVIDED BY TRANSFEE)

Multiple interests can be used to create a tenancy in common with specified interests.

Interest 1

☐ One transferee ☒ Joint tenancy ☐ Tenancy in common without specified interest

Barb Bea Barbson	<input type="button" value="+"/> <input type="button" value="-"/>
Bob Ben Barbson	<input type="button" value="+"/> <input type="button" value="-"/>

16. FAIR MARKET VALUE (PROVIDED BY TRANSFEE)

☒ Fair market value for all land in this transfer

In accordance with Part III of *The Tax Administration and Miscellaneous Taxes Act*, I certify that

The fair market value of all the within land as a whole is Canadian Dollar (CAD).

The fair market value of the interest in the land affected by this transfer is ☐ the same. ☒ Canadian Dollar (CAD).

18. LAND TRANSFER TAX EXEMPTION EVIDENCE

☐ No land transfer tax exemption is claimed.

☒ The following transferees are claiming land transfer tax exemption.

Bob Ben Barbson	<input type="button" value="+"/> <input type="button" value="-"/>
-----------------	---

Exemption:

☒ Non-Commercial Property

☒ The transfer is of a non-commercial property by a person to the person's spouse or common-law partner or former spouse or common-law partner.

☐ Farmland

☐ Subdivision


☐ Other

The fair market value of the interest in the within land that is exempt from land transfer tax is Canadian Dollar (CAD).

The fair market value of the interest in the land affected by this transfer is 100,000.00 Canadian Dollar (CAD).

2. Farm Lands Ownership Act tax exemption

13. TENANCY AND INTEREST ACQUIRED (PROVIDED BY TRANSFEREE)

 Multiple interests can be used to create a tenancy in common with specified interests.

Interest 1

- ☐ One transferee ☒ Joint tenancy ☐ Tenancy in common without specified interest

Fred Frederick Fredson

Jim John Jimson


- ☒ as joint tenants of

15. THE FARM LANDS OWNERSHIP ACT EVIDENCE (PROVIDED BY TRANSFEREE)


The registration of this instrument does not contravene the provisions of *The Farm Lands Ownership Act* because

- ☐ The within land is not farm land as defined in *The Farm Lands Ownership Act*.
☐ All of the within lands are farm land and are being acquired in realization or settlement of a mortgage or encumbrance.
☐ Some of the within lands are farm land and the farm lands are being acquired in realization or settlement of a mortgage or encumbrance.
☐ The within farm land is exempt by Manitoba Regulation 325/87 R of *The Real Property Act* (i.e. it is 5 acres or less).
☒ Each transferee will give individual evidence.

For: Fred Frederick Fredson

- ☒ The transferee is a Canadian citizen as defined in *The Farm Lands Ownership Act*.
☐ The transferee is a qualified immigrant as defined in *The Farm Lands Ownership Act*.
☐ The transferee is a permanent resident of Canada as defined in *The Farm Lands Ownership Act*.
☐ The acquisition of the interests claimed are exempt by order made pursuant to *The Farm Lands Ownership Act*.  Attach Board Order
☐ The aggregate interest of the transferee in farm land, including the land in this transfer, does not exceed 40 acres.
☐ Other

For: Jim John Jimson

- ☒ The transferee is a Canadian citizen as defined in *The Farm Lands Ownership Act*.
☐ The transferee is a qualified immigrant as defined in *The Farm Lands Ownership Act*.
☐ The transferee is a permanent resident of Canada as defined in *The Farm Lands Ownership Act*.
☐ The acquisition of the interests claimed are exempt by order made pursuant to *The Farm Lands Ownership Act*.  Attach Board Order
☐ The aggregate interest of the transferee in farm land, including the land in this transfer, does not exceed 40 acres.
☐ Other

16. FAIR MARKET VALUE (PROVIDED BY TRANSFEREE)

- ☒ Fair market value for all land in this transfer

In accordance with Part III of *The Tax Administration and Miscellaneous Taxes Act*, I certify that

The fair market value of all the within land as a whole is Canadian Dollar (CAD).

The fair market value of the interest in the land affected by this transfer is ☒ the same, being 200,000.00 Canadian Dollar (CAD).

☐

Canadian Dollar (CAD).

Continued on next page...

18. LAND TRANSFER TAX EXEMPTION EVIDENCE

- ☐ No land transfer tax exemption is claimed.
- ☒ The following transferees are claiming land transfer tax exemption.

Fred Frederick Fredson


+ -

Exemption:

- ☐ Non-Commercial Property
- ☒ Farmland
- ☒ The land is farmland, the transferee is a farmer and the land will continue to be used for farming.
- ☐ The land is farmland, the transferee is the spouse or common-law partner of a farmer and the land will continue to be used for farming.
- ☐ The land is farmland, the transferee is a farmer and the land will continue to be used for farming. A co-transferee is the spouse or common-law partner of the farmer.
- ☐ Subdivision
- ☐ Other

The fair market value of the interest in the within land that is exempt from land transfer tax is 100,000.00

Canadian Dollar (CAD).

 The fair market value of the interest in the land affected by this transfer is 200,000.00 Canadian Dollar (CAD).

Jim John Jimson


+ -

Exemption:

- ☐ Non-Commercial Property
- ☒ Farmland
- ☒ The land is farmland, the transferee is a farmer and the land will continue to be used for farming.
- ☐ The land is farmland, the transferee is the spouse or common-law partner of a farmer and the land will continue to be used for farming.
- ☐ The land is farmland, the transferee is a farmer and the land will continue to be used for farming. A co-transferee is the spouse or common-law partner of the farmer.
- ☐ Subdivision
- ☐ Other

The fair market value of the interest in the within land that is exempt from land transfer tax is 100,000.00

Canadian Dollar (CAD).

 The fair market value of the interest in the land affected by this transfer is 200,000.00 Canadian Dollar (CAD).

3. Part land transfer (no exemption claimed)

3. TRANSFEROR

- ☐ Individual
☒ Corporation

Corporation Name

Mike's Mic Shop Ltd.



13. TENANCY AND INTEREST ACQUIRED (PROVIDED BY TRANSFEREE)

Multiple interests can be used to create a tenancy in common with specified interests.

Interest 1



- ☐ One transferee ☒ Joint tenancy ☐ Tenancy in common without specified interest

Mike's Mic Shop Ltd.



Mics and More Ltd.



- ☒ as joint tenants of an estate in fee simple



16. FAIR MARKET VALUE (PROVIDED BY TRANSFEREE)

- ☒ Fair market value for all land in this transfer

In accordance with Part III of *The Tax Administration and Miscellaneous Taxes Act*, I certify that

The fair market value of all the within land as a whole is 200,000.00 Canadian Dollar (CAD).

The fair market value of the interest in the land affected by this transfer is ☐ the same.

☒ 100,000.00 Canadian Dollar (CAD).

- ☐ Fair market value for each land in this transfer

4. Part land transfer (no exemption claimed)

3. TRANSFEROR

☒ Individual

Given Name

Mark

Middle Names

Mill


Surname

Markson

Suffix

+ -

13. TENANCY AND INTEREST ACQUIRED (PROVIDED BY TRANSFEREE)

 Multiple interests can be used to create a tenancy in common with specified interests.

Interest 1

+ -

☒ One transferee

☐ Joint tenancy

☐ Tenancy in common without specified interest

Mark Mill Markson

☐ as to

☒ as to an undivided 1 / 2 interest in an estate in fee simple

16. FAIR MARKET VALUE (PROVIDED BY TRANSFEREE)

☒ Fair market value for all land in this transfer

In accordance with Part III of *The Tax Administration and Miscellaneous Taxes Act*, I certify that

The fair market value of all the within land as a whole is 200,000.00 Canadian Dollar (CAD).

The fair market value of the interest in the land affected by this transfer is ☐ the same.

☒ 100,000.00 Canadian Dollar (CAD).

☐ Fair market value for each land in this transfer

18. LAND TRANSFER TAX EXEMPTION EVIDENCE

☒ No land transfer tax exemption is claimed.

☐ The following transferees are claiming land transfer tax exemption.