

## **The LTSA and the Office of the Surveyor General**

A discussion paper on the creation of the Land Title and Survey Authority of BC (LTSA) and its mandate to manage, operate and maintain British Columbia's land title and land survey systems. Established in 2005 under the *Land Title and Survey Authority Act*, the LTSA is an independent corporation committed to enhancing customer service through continuous innovation and business process improvements. The LTSA provides services to the public and professionals, lawyers, notaries public and land surveyors through offices in Kamloops, New Westminster and Victoria. The LTSA provides for the registration of all real property ownership and all private and Crown land surveys through its secure and reliable systems.

This paper will discuss the reasons for the creation of the LTSA, its formation, governance structure and major strategic objectives and the business divisions providing public service. The Land Title Division's primary function is to ensure the integrity of British Columbia's Torrens' system for registering land titles, and other interests in land such as mortgages and rights-of-way, etc. The Surveyor General Division's primary function is to maintain the quality of the land survey structure of the Province.

This paper will explore the role of the Surveyor General in the LTSA, working with land surveying professionals to establish survey standards; approving legal survey plans of public and certain private lands and the protection of the cadastre. The paper will discuss the work of the Surveyor General Division in issuing Crown grant documents which transfer Crown land into private ownership.

### **Introduction**

The land title system of British Columbia is a modified Torrens' system of registration that creates guaranteed ownership and is backed by an Assurance Fund. The land title system provides an up-to-date official record of who owns the land, and charges and interests that relate to land titles. It provides the foundation for British Columbia's property market, and makes land ownership and transfers simple and certain. It protects both the seller and the purchaser.

Registered titles are assured, meaning that if an owner suffers a loss due to a problem with their registration they can apply for financial compensation.

The land title system secures real estate financing through the registration of mortgages, and enables other interests in land and charges against title to be officially identified in the public record.

The system eliminates the need for historical searches to prove validity of title.

The Surveyor General Division has historically maintained the cadastral survey structure of the province including managing the Crown grant process which transfers land into private ownership.

The Land Title Offices and the Surveyor General Division were part of government, historically in separate ministries, until the creation of the Land Title and Survey Authority.

### **The Land Title and Survey Authority of British Columbia**

The Land Title and Survey Authority (LTSA) was created in the fall of 2004 and started operation on January 20, 2005, under the *Land Title and Survey Authority Act*. The LTSA is an

independent, not for profit, corporation without share capital responsible for managing the land title and land survey systems of British Columbia. These systems provide the foundation for all real property business and ownership in the province.

The LTSA was created as a result of average processing times for land title documents increasing from historic norms to 37 days and more in 2003. Users of the system started to complain. The Law Society responded by recommending a new structure that would be independent of government and therefore more able to act quickly on problems - a structure that would more closely link to the main users of land title services, lawyers, notaries public and land surveyors and yet still be accountable to the public.

The new independent structure creates the flexibility for the LTSA to effectively respond to business demands. The LTSA is accountable to the people of BC and is governed accordingly.

An 11 member Board of Directors provides strategic direction and ensures the LTSA meets the accountability requirements established in legislation. A Stakeholder Advisory Committee provides advice on the LTSA activities, policies, programs services and customer service improvements.

The LTSA:

**Mission:** to create confidence by delivering assured land title and land survey systems essential to the property market and the economic foundation of British Columbia.

**Vision:** to earn a reputation for exceptional service and excellence in the preservation, access and integrity of land titles and land survey systems.

**Values:**

- accountable to the British Columbia public and those served
- act with the highest standards of integrity, knowledge and skill
- respect and value customers and each other
- recognize the need for continuous improvement
- approachable and personally responsive to customers and employees

**Current Objectives:**

- instill confidence and maintain the integrity of the land titles and survey systems of British Columbia
- preserve and enhance core business
- develop new lines of business/products/services in response to customers' needs
- ensure the right structure, people and tools for the effective operation of the LTSA

The LTSA current has a staff of approximately 160 employees well below the staffing levels when the operations were a part of government.

The current business focus of the LTSA is on greater use of electronic filing of documents and survey plans and internal technological improvements to assist with processing of applications. The LTSA is undergoing a technological renewal to ensure the LTSA is able to modernize business process and have cost effective information systems. Significant human resource efforts

are being focused on succession planning, including training to ensure the LTSA is seen as an excellent employer to attract and retain good employees. Historic records preservation and maintenance is critically important to the LTSA and its stakeholders.

## **Historic Records Program**

The cataloguing of land title records is now complete and available on the LTSA website, including sample documents. Work continues on the Surveyor General collection of records. An assessment of the physical condition was noted during the cataloguing. A professional document conservator is on site, currently in the Victoria Land Title Office, restoring those records most in need of attention.

The LTSA has a number of initiatives underway to improve electronic access through scanning of documents – including historic field books – and having them available electronically. The LTSA continues to work with advice and support from the BC Historical Foundation.

## **Land Title Division**

The core functions of the Land Title Division include ensuring the continued integrity of BC Torrens system for registering land titles, and interests in titles such as mortgages and other charges. British Columbia's highly-regarded land title system provides conclusive evidence of title, and is backed by an Assurance Fund in the unlikely event of a registration error.

The division conducts business out of offices located in New Westminster, Victoria and Kamloops.

The division processed 1.33 land title instruments in fiscal 2007 with an average turnaround time of 4.4 days for land title documents and 4.6 days for land title survey plans. The LTSA performance target for providing this service is 6 business days.

With an emphasis on the Electronic Filing System (EFS) the fiscal 2007 uptake was 26.8% of eligible documents. The current monthly uptake is approximately 34%. The goal is to move towards 100% electronic filing.

## **The Surveyor General of British Columbia**

The position of Surveyor General of BC has existed since 1858 when J.D. Pemberton was named the first Surveyor General of the colony of Vancouver Island. The position has evolved over time with 17 Surveyors General since the creation of the Corporation of BC Land Surveyors in 1905.

The Surveyor General is appointed by the CEO of the LTSA pursuant to the *Land Title and Survey Authority Act*. The Surveyor General also serves as the Boundary Commissioner of BC appointed by provincial Order in Council working as part of a tripartite Boundary Commission with the Surveyor General of Canada and the Alberta Director of Surveys. The Surveyor General is a member of the LTSA Executive Team, is appointed to the Board of Management of the Association of BC Land Surveyors and is a delegate to the Canadian Council on Geomatics.

The core business of the Surveyor General Division includes responsibility for the quality and integrity of the cadastral survey structure of BC. The Surveyor General is a leader and partner with the Association of BC Land Surveyors in the development of regulations, standards and specifications for surveys and the parcel structure in BC.

The division has three business units, Surveyor General Services, Crown Grant Services and Records Distribution Services.

### **Surveyor General Services**

Surveyor General Services manages the cadastral survey structure in BC through business activities such as providing parcel designations for surveys of Crown land, guidance on the maintenance and creation of General Survey Instruction Rules to the Association of BC Land Surveyors. The unit provides professional support on survey issues to the Land Title Offices and managed all surveys of Crown land under the authority of the *Land Act*.

In fiscal 2008 the business unit confirmed 2,473 Crown land survey plans with an average processing time of approximately 8 days, below the performance target of 21 days. In addition the division handled 440 statutory applications dealing with items such as accretion and natural boundary applications.

### **Crown Grant Services**

The Crown Grant Services business unit focuses on the preparation of Crown grants, which at the discretion of the Province transfer Crown land into private ownership. Additionally the unit handles the preparation of Ministerial Orders to amend, cancel or replace terms, covenants, stipulations, reservations or exemptions of existing Crown grants.

In the 2003/2004 fiscal year the 417 Crown grants prepared provided over \$77 million in revenue to the province.

In the 2008 fiscal year the unit issued 315 Crown grants with an average turnaround time of 3 days, below the performance target of 21 days.

### **Records Distribution Services**

The Records Distribution Services business unit responds to client request for copies of plans, field notes, historical survey records, Crown grant documents and reference maps. The unit maintains the Crown Land Registry records vault which houses the provinces earliest historical survey records. This includes a collection of approximately 350 Indian reserve field books that will soon be available electronically.

### **Business Transformation**

The LTSA is embarking on a major business transformation initiative to modernize the existing operations and business systems. The anticipated expenditures in fiscal 2009 are some \$3 million. The work includes an examination and modernization of all existing processes including in the earliest of stages; defect notices, state of title certificates, an activity advisory service and a re-write of the major land title office operating system ALTOS.

After a study of internal capacity including employee demographics new business opportunities such as a pre-vetting service, a consolidated knowledge base and a “smart title search” are being considered. Business transformation will also include consideration of an enhanced real property report.

Business transformation will focus on moving away from reliance on government systems and to increase the availability of electronic images and increase the use of electronic filing and

automatic registration. To this end a project to scan and make available electronically all pre-1990 documents has now been completed.

## **Electronic Survey Plan (ESP) Process**

The Electronic Survey Plan (ESP) process is the primary business initiative for the Surveyor General Division. Historically, legal survey plans have been prepared in a hard copy format on linen and mylar.

The Electronic Survey Plan project is a multi-year, multi-phase project that results in the electronic delivery of survey plans, in digital format to the Crown Land Registry and the Land Title Offices. Initially only an image will be captured – Phase II will include plan intelligence to allow automated maintenance of a provincial legal (cadastral) parcel base map as close to source as possible.

Functionality to allow electronic submission of plans to the Crown Land Registry went live on July 24, 2006. This included survey plans prepared pursuant to the Land Act, the Mineral Tenure Act, the Petroleum and Natural Gas Act and the Coal Act.

In February 2008, 92% of eligible plans filed in the Crown Land Registry were filed electronically.

A pilot project to support submission of Electronic Survey Plan process to Land Title Offices started in May 2007. The pilot group expanded from initial single land surveyor to 40 land surveyors by February 2008. Originally the pilot involved simple plans (posting plans, right of way plans) not requiring signature. The pilot grew to include more complex plans (subdivision and strata plans) with multiple approving authority, owner and charge holders consents required.

On February 28, 2008, the Electronic Survey Plan process was rolled out to all land surveyors in the province. The Surveyor General Division continues efforts to support and promote the use of Electronic Survey Plans.

## **Conclusion**

The LTSA continues to focus its efforts to ensure it delivers on its core business responsibilities to manage the land title and land survey systems of British Columbia as set out in the *Land Survey and Authority Act* and the Operating Agreement with the Province of British Columbia. The independent, not for profit structure creates the ability to focus efforts to ensure:

- client services are continually improved
- historic records receive the focus they deserve
- the LTSA continues to play a vital role in the economic and social wellbeing of BC
- Business Transformation is completed to ensure the future of the LTSA
- the Electronic Filing Services and the Electronic Survey Plan process position the LTSA as a leader in e-business
- the integrity of land title and land survey systems of British Columbia are maintained

Website: [www.ltsa.ca](http://www.ltsa.ca)

## **Biography**

Mike Thomson is the Surveyor General and Boundary Commissioner of British Columbia. Mike is also a member of the Board of Management of the Association of BC Land Surveyors, appointed as the government's representative as prescribed by statute. Mike is also a delegate to the Canadian Council on Geometrics.

Prior to joining the LTSA, Mike was the City Surveyor for the City of Vancouver. Mike previously spent 10 years in private practice as a BC land surveyor in the Lower Mainland of British Columbia. Mike received his commission as a BC land surveyor in 1983.

### **Contact Information**

Mike Thomson, BCLS  
Surveyor General of British Columbia  
Land Title and Survey Authority of British Columbia  
3400 Davidson Avenue  
Victoria BC V8Z 3P8  
Telephone: 250-952-5326  
Fax: 250-387-1830  
E-mail: [mike.thomson@ltsa.ca](mailto:mike.thomson@ltsa.ca)