

Land Titles Office (J-2A), Box 2703, Whitehorse, Yukon Y1A 2C6
Hours of Operation: 9:00 am to 4:00 pm Monday to Friday
Phone: (867) 667-5612 or Toll free within Yukon 1-800-661-0408 Ext. 5612
Fax: (867) 393-6358 E-Mail: landtitlesoffice@gov.yk.ca

GENERAL INFORMATION

TRANSFER OF LAND BY INDIVIDUALS

THE LAND TITLES OFFICE CANNOT GIVE LEGAL ADVICE

1. To get started you will need a copy of the current Certificate of Title of the property you intend to transfer, which Land Titles will provide you with. In order to obtain this you will need the following information:
 - Legal Description, ie. Lot, Block, Quad, Plan, Subdivision or the current registered owners name(s).
 - Land Titles cannot search by street (municipal) address. If you only have the street address, and the property is located within Whitehorse city limits, you will need to contact the City of Whitehorse Tax Clerk at City Hall (867-668-8608) and they will provide you with a legal description. If the property is located outside Whitehorse city limits, contact Property Assessment (867-667-5268), or the local municipality where the property is located.
2. Land Titles will provide you with the Transfer of Land, Affidavit of Witness, Spousal Affidavit and Affidavit of Consent to Disposition of a Family Home (“Transfer Package”). This package can also be found on the Government of Yukon website under Justice, Land Titles and then under the Forms tab. Completion instructions are listed below for each document.
3. To complete the Transfer Package you will require a Witness and a Notary Public in and for Yukon.
 - The Transfer and Spousal Affidavit are to be duly completed by the Transferor(s);
 - The Witness and the Notary Public should not have an interest in this transaction;
 - The Land Titles Office cannot witness or notarize these forms; and
 - A listing of Yukon Notaries Public can be found in the Yellow Pages of the Yukon telephone directory.
4. Documents are registered in priority of order they are received in this office. Before registering documents, the Land Titles Office examines all documents for compliance under the *Land Titles Act, 2015* relevant legislation and policies.
5. Any changes made to the forms must be initialled. Do Not Use Whiteout. Please complete forms in blue or black ink.
6. If your documents are not in compliance with the *Land Titles Act, 2015* relevant legislation and policies, they will be rejected. We will notify you by telephone or by correspondence to inform you of the reasons we have rejected your documents. You will be informed of the necessary amendments you will be required to make or we will advise you to seek legal advice to ensure your documents are registrable in the Land Titles Office.

7. If documents are sworn outside of the Yukon, the Notary Public must affix his/her seal.
8. Original signatures are required on all documents.

When you have completed the form:

a) Take the form to:

Land Titles Office, 1st Floor, The Andrew A. Philipsen Law Centre
2134 Second Avenue, Whitehorse, Yukon Y1A 5H6
Hours of Operation: 9:00 am to 4:00 pm Monday to Friday

- Registration fees are listed below and will be collected when you submit your documents.
- We accept cash, cheque, Debit Card, VISA, MasterCard and American Express.

OR

b) Mail the form, with your payment, to:

Land Titles Office (J-2A)
Box 2703
Whitehorse, Yukon Y1A 2C6

Please ensure your name, address, phone number and payment made payable to Government of Yukon are enclosed.
Registration Fees are listed below.

Registration Fees:

Transfer Fees

> \$99,999.99	\$50.00
\$100,000.00 to \$499,999.99	\$150.00
\$500,000.00 to \$2,999,999.99	\$350.00
\$3,000,000.00 to \$9,999,999.99	\$550.00
\$10,000,000.00 or greater	\$750.00

* Plus Assurance Fund Fee

Assurance Fund Fee

\$20.00 for all applicable transactions up to \$10,000 plus \$10.00 for each \$10,000, or portion thereof, of additional declared value since last transfer

COMPLETION INSTRUCTIONS FOR TRANSFER

Name of Owner(s) – Print name(s) of the individual(s), as well as tenancy type, as shown on the Certificate of Title. If the tenancy type is Tenants-in-Common, the percentage of each individual transferring their interest is required. If there is insufficient space to enter the names of all the transferors, enter “See Schedule” and set out the names of all the transferors in a schedule.

Legal Description – The full legal description is required (Lot, Portion, Block, Quad, Group, Plan, Subdivision, City, as well as Yukon Territory). If the space provided is not sufficient for the complete legal description, enter “See Schedule” and attach a schedule containing the complete legal description. Agricultural Regulations are not required.

Registration Number(s) – If there are any encumbrances (Charges, Liens and Interests) listed, that have not been discharged, the Registration Number of the encumbrance must be listed. If there are no encumbrances, please state “NIL”.

Consideration – Enter the consideration expressed in figures.

Transfer to – Print name(s) of the individual(s) or corporation(s) that the property is being transferred to. If more than one individual or corporation, state tenancy type. The two most popular tenancy types are “as joint tenants” or “as tenants-in-common”. Tenants-in-common requires percentages indicating the undivided interest that each transferee is to hold in the property. For further information regarding tenancy types, please seek legal advice. If there is only one transferee, tenancy type is not required.

Mailing Address – Print full mailing address, including postal code, to be shown on Certificate of Title.

Declared Value

- Declared Value is the dollar amount that the land, including buildings and all other improvements affixed to the land, might be expected to realize if it were sold on the open market by a willing seller to a willing buyer.
- The stated Declared Value will be questioned if there is a significant decrease (for example over 30%) from the Declared Value shown on the previous title. If this is the case, please include the reason(s) as to the decrease.
- If a tenant-in-common is transferring their interest, the Declared Value to be shown in this section should reflect only the value of their interest being transferred.

Date – Print date that the Transfer was signed.

Witnessed by – An individual will need to witness the Transferor(s) signature(s) as well as print their name below their signature (see below for further instructions on the witness’ signature).

Signature of Transferor – Transferor to sign in front of witness and print their name below their signature as shown on the Certificate of Title.

COMPLETION INSTRUCTIONS FOR AFFIDAVIT OF WITNESS

Name of Witness – Print name of the witness as shown on the Transfer form signature page.

Executed by – Print name of transferor as shown on the Certificate of Title / Transfer form.

Signature of Witness – Witness to sign in front of a Lawyer / Notary Public and print their name below their signature as shown under Name of Witness above and on the Transfer form.

Sworn / Affirmed before – Lawyer / Notary to sign, as well as fill in place and date of signature, their name and commission expiry. If the document is sworn outside of the Yukon, the Notary Public must affix his/her seal.

COMPLETION INSTRUCTIONS FOR SPOUSAL AFFIDAVIT FOR INDIVIDUALS

This affidavit must be completed by all Transferors, whether the Transferor is a spouse or not

I/we – Print the full name(s) of the Transferor(s) as shown on the Certificate of Title.

Follow the instructions on the affidavit to complete Sections 3 and 4. In the event that 3(b) or 3(e) **and** 4 (a) or 4 (f) is selected, the spouse that is named (in 3 (b) or 3 (e)) will need to complete the Affidavit of Consent to Disposition of a Family Home, instructions below.

Signature of Applicant - The Transferor(s) to sign in front of a Lawyer / Notary Public and print their name below their signature as shown on the Certificate of Title.

Sworn / Affirmed before – Lawyer / Notary to sign, as well as fill in place and date of signature, their name and commission expiry. If the document is sworn outside of the Yukon, the Notary Public must affix his/her seal.

COMPLETION INSTRUCTIONS FOR AFFIDAVIT OF CONSENT TO DISPOSITION OF A FAMILY HOME

*** This affidavit only needs to be completed if 3(b) or 3(e) and 4 (a) or 4 (f) are selected on the Spousal Affidavit ***

Name of Consenting Spouse – Print name of spouse as shown in 3(b) or 3(f) on the Spousal Affidavit.

Spouse of – Print name of Spouse (Transferor) as shown on the Certificate of Title.

Signature of Consenting Spouse – Consenting Spouse to sign in front of a Lawyer / Notary Public and print their name below their signature as shown at top of form.

Sworn / Affirmed before – Lawyer / Notary to sign, as well as fill in place and date of signature, their name and commission expiry. If the document is sworn outside of the Yukon, the Notary Public must affix his/her seal.

TRANSFER - INDIVIDUAL

Name of Owner(s): _____

(print full name(s) and tenancy type as shown on Certificate of Title)

being registered owner(s) of an estate in fee simple (or leasehold or life estate) *(strike out what is not applicable)*, of the following land(s) described as follows:

Legal Description(s): _____

which is/are subject to section 59 of the Act and the following encumbrances and interest as of the date of this transfer:

Registration number(s):

(List registration numbers of all charges, writs, liens and interests shown on the Certificate of Title and, if no encumbrances, state "NIL")

In consideration of the sum of \$ _____ Dollars paid to me/us by the transferee, the receipt of which sum I hereby acknowledge, transfer to:

(print name(s) and tenancy type of Transferee(s) as to be shown on Certificate of Title)*

**Tenancy Type – the two most popular are “as joint tenants” or “as tenants-in-common”. Tenants-in-common requires percentages indicating parties’ interests in the property. For further information regarding of the tenancy types, please seek legal advice)*

Mailing Address to be shown on title: _____

Land Titles Act, 2015 — YUKON LAND REGISTRATION DISTRICT

The declared value* of the land**, is \$ _____ Dollars

* “declared value” herein shall mean the dollar amount that the land might be expected to realize if it were sold on the open market by a willing seller to a willing buyer.

** “land” herein includes buildings and all other improvements affixed to the land.

Dated: _____, 20____

Witnessed by)	
)	
_____)	_____
<i>(Signature of Witness)</i>)	<i>(Signature of Transferor)</i>
)	
_____)	_____
<i>(print full name of Witness)</i>)	<i>(print full name of Transferor)</i>

Witnessed by)	
)	
_____)	_____
<i>(Signature of Witness)</i>)	<i>(Signature of Transferor)</i>
)	<i>(if more than one)</i>
)	
_____)	_____
<i>(print full name of Witness)</i>)	<i>(print full name of Transferor)</i>

AFFIDAVIT OF WITNESS

(s. 47(2))

Name of Witness: _____
(print name of Witness as shown on Transfer)

I SWEAR / AFFIRM THAT

1. I was personally present and did see the attached instrument duly signed and executed by _____, the party(ies) thereto for
(print name of Transferor as shown on Certificate of Title)
the purposes named therein.

2. The said party(ies) identified themselves to me to be the party(ies) named in the within instrument, and the party(ies) is(are), in my belief, of the full age of nineteen (19) years.

3. I am not
(a) a party to this instrument; or
(b) a spouse, within the meaning of the *Family Property and Support Act*, of a party to this instrument.

SWORN / AFFIRMED BEFORE ME)
at _____ in _____)
on the ____ day of _____, 20____)
)
)

(Signature of Notary or Commissioner))
)

(print full name))
)
)
Notary Public in and for Yukon;)
or Notary Public or Commissioner for Oaths)
in and for _____)
(My commission expires: _____))
)

*** All Notaries and Commissioners outside of Yukon must affix seal**

SPOUSAL AFFIDAVIT FOR INDIVIDUALS

(to be completed by Transferor(s))

I/We, _____,
(print full name of Transferor(s) as shown on Certificate of Title)

MAKE OATH AND SAY (AFFIRM) AS FOLLOWS:

1. The word “Property” means the property described in the attached instrument;
2. The words “Spouse” and “Family Home” are defined in Section 1 and Section 21 of the *Family Property and Support Act*, 2002 c 83 (the “Act”);

*** Mark the applicable box in Paragraph 3 with a “✓” or “X” ***

3. When I/we executed the attached instrument,

- (a) I was not a spouse (**proceed to page 2 and sign**).
- (b) I was a spouse and _____ was my spouse.
- (c) We were spouses of one another.
- (d) We were not spouses of one another and neither of us has a spouse or former spouse who has any right to possession, or interest in the property by virtue of it being a Family Home.

(For use with Estates, Powers of Attorney, etc.)

- (e) I had knowledge that _____ was a spouse and _____ was their spouse.
- (f) I had knowledge that _____ was not a spouse (**proceed to page 2 and sign**).

*** Mark the applicable box in Paragraph 4 with a “✓” or “X” ***

4. (a) the property has been occupied by myself and my spouse as our family home.
- (b) the property has not been occupied by myself and my spouse as our family home.
- (c) the property has not been occupied by myself and my spouse as our family home since the cancellation of its designation as our family home under Section 24 or 27 of the Act.
- (d) the property is not designated as a family home under Section 24 of the Act, and an instrument designating another property as a family home is registered under Section 24 of the Act and is not cancelled.
- (e) the instrument to which this Affidavit is attached is authorized by a Court Order (or an Order has been made releasing the property as a family home) and such Order has not been appealed, the time for appeal has expired and no application for leave to appeal or to extend the time to appeal has been made.

(For use with Estates, Powers of Attorney, etc.)

- (f) the property has been occupied by _____ as a family home.
- (g) the property has not been occupied by _____ as a family home.

* Ensure the applicable clauses in Paragraph 3 and 4 are marked. If 3(b) or 3(e) and 4(a) or 4(f) are applicable, attach the duly completed **Affidavit of Consent to Disposition of a Family Home**.

SWORN / AFFIRMED BEFORE ME)
at _____ in _____)
on the ____ day of _____, 20____) *(Signature of Transferor)*
)
_____) *(print full name)*
(Signature of Notary or Commissioner))
)
_____) *(print full name)*
)
)
(Signature of Transferor)
Notary Public in and for Yukon;)
or Notary Public or Commissioner for Oaths)
in and for _____)
(My commission expires: _____)) *(print full name)*
)

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**FAMILY PROPERTY AND SUPPORT ACT
AFFIDAVIT OF CONSENT
TO DISPOSITION OF A FAMILY HOME**

NAME OF CONSENTING SPOUSE: _____
(print name of Spouse as shown in 3(b) or 3(f) of Spousal Affidavit)

I SWEAR / AFFIRM THAT

1. I am the spouse of _____
(print full name of spouse/Transferor as shown on Certificate of Title)
2. I give my full consent to the transaction to which this affidavit is attached.
3. I make this Affidavit pursuant to the provisions of the *Family Property and Support Act*.

SWORN / AFFIRMED BEFORE ME)	
at _____ in _____)	_____
on the ____ day of _____, 20____)	<i>(Signature)</i>
)	
_____)	_____
<i>(Signature of Notary or Commissioner)</i>)	<i>(print name of Consenting Spouse)</i>
)	
_____)	
<i>(print full name)</i>)	
)	
Notary Public in and for Yukon;)	
or Notary Public or Commissioner for Oaths)	
in and for _____)	
(My commission expires: _____))	
)	

**** All Notaries and Commissioners outside of Yukon must affix seal***