

Real Property Section Report 2018-2019

During the 2018/2019 year (approximately the beginning of May, 2018 to the beginning of May, 2019), the Real Property Section's activities have been comprised in part of the general sessions it has conducted, and in part, of the Section's Executive's (i.e., Jason Bryk, Maria Penner and Ned Brown) activities with respect to real property practice matters brought to their attention.

Highlights of the Section's activities during the above period have been:

1. The following Section general information sessions have been held:
 - (a) October 11, 2018 – presentation by representatives The City of Winnipeg Water and Waste Department on the City's new water consumption data collection and transmission system;
 - (b) November 22, 2018 - presentation by Gemma Brown of Smith Neufeld Jodoin LLP and Derek Smith of the provincial government Onsite Wastewater Management/Environmental Approvals Branch on wastewater handling and disposal;
 - (c) April 4, 2019 - presentation dealing with the basics/refresher outline for real estate conveyancing; and
 - (d) April 18, 2019 - presentation by representatives of the Manitoba Farm Industry Board dealing with four Manitoba legislative enactments administered by that Board.

At the time of the preparation of this report, we are planning to hold an information session in May of 2019 presented by representatives of The City of Winnipeg dealing with the various "services" offered by the City with respect to various aspects of real estate ownership, operation and maintenance.

2. The Real Property Section put on two legal information sessions at the January 2019 Mid-Winter Conference, namely:
 - (a) session dealing with reverse mortgage loans - Sharon Tod, Charlotte McCurdy and Tom Ewanchyshyn (Tom being a representative of HomeEquity Bank); and
 - (b) session dealing with "last minute closing problems" in real estate transactions - Maria Grande, Jeff Shypit and Fred Klein.
3. Ned Brown made written submissions to The Manitoba Law Reform Commission in connection with its review of *The Manitoba Builders Liens Act*.
4. The Section's Executive, aided by Jeff Shypit, Mona Brown, Christine Klassen, Rick Adams, Albina Moran and David Marshall continues to meet with senior

LTO/Teranet officers approximately every three to four months to discuss matters of mutual concern regarding the administration of the Land Titles system.

5. Jason Bryk and Ned Brown continue to receive calls and queries from practitioners regarding various matters of practice from time to time. In particular, Ned Brown has reviewed, prepared or is working on papers and discussed with other interested parties:
 - (a) the problems arising out of the broadly worded easements taken by utilities; and
 - (b) educating lawyers with respect to the Crown copyright claimed by Teranet with respect to transmission and reproduction of Property Registry information and documents.
6. Jason Bryk and Ned Brown have sat as representatives of the Real Property Section on the "Stakeholders' Committee" chaired by Maureen Terra which deals with and considers matters related to real property law, practice and procedure (and policy).

Submitted by,
Ned Brown, Co-Chair, MBA Real Property Section