

The Adviser



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Response to issue No. 1 of The Adviser, circulated in July of this year, has been very gratifying. We responded to 106 requests for materials referred to in that issue.

E. & O. Matters:

The Planning Act, Section 29:- Non-compliance with this Section is still a source of many claims. Problems still arise because solicitors do not search surrounding lands when dealing with Part of a Lot, either in a Subdivision or as Part of a Township Lot. Members should review the excellent material in the Risk Management Handbook under the heading "Section 29 of The Planning Act: Some Practical Considerations". If you face a Section 29 problem, and are still uncertain after reading cases and published materials, a telephone call to the Advisory Service can provide you with some extra guidance.

Equitable Mortgages - Notice of Lodgement of Title Documents:-

An equitable mortgage created by the deposit of title deeds is a valid form of security and Notice thereof on the registered title constitutes actual Notice under the Land Registration Statutes. Some of the Banks regularly secure loans by this technique and Members are reminded that they must be dealt with as an encumbrance in real estate transactions. See *Royal Bank v Grobman et al* (1979), 18 O. R. (2d) 636.

Office Management:

Work in Progress - Income Tax - November 1981 Federal Budget:-

Time Keeping records are essential to determine the value of unbilled work in progress at year end for purposes of the changes affecting professionals in the November 1981 Federal Budget. The changes are effective in the 1983 taxation year, in which many Members now find themselves. Members should consult their Accountants concerning the necessary records. There are various Time Keeping systems available from most of the Legal Stationers and suppliers of Office Accounting Systems.

Computers:- The Law Society's Audit Department reviews computer programmes to confirm ability to meet the requirement of Regulation 15 (formerly Regulation 19) of the Law Society, concerning Solicitors' Accounts. The Advisory Service has also provided information and advice to suppliers of computer software concerning appropriate programmes for Law Office Management (time keeping, tickler systems, file control, financial management, etc.). The Law Society does not endorse or approve any programmes. Sales material that suggests endorsement or approval by the Law Society may be misleading. In the event of uncertainty, check with the Audit Department concerning the proposed programme and its ability to comply with the Society's Regulations.

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