

Title Insurance: Leading the Way

Lang Michener is recognized as Canada's premier law firm in title insurance matters and has been at the forefront of title insurance in Canada since its inception. Our practitioners have extensive experience in regulatory matters and title insurance transactions.

Advising Title Insurers

Title insurance policies place insurers under a positive obligation to defend claims against the insured's title based on the title risks covered by the policy. A title insurer may need to defend its decision not to honour an insured's claim under the policy. Lang Michener brings an experienced, innovative and cohesive team approach to multi-file insurer representation. Our litigators represent more than 50 insurance companies in diverse areas and are experienced in a wide variety of real property litigation issues.

We advise title insurers, provide expert opinions related to a variety of claims and represent both domestic and foreign title insurers in a variety of licensing and regulatory matters. We draft, review, comment upon and negotiate title insurance coverage, policies, and endorsements. We also advise title insurers new to the Canadian market on coverage documents to be used in Canada, and the development of national policies.

Advising Financial Institutions

As recognized leaders in the field, Lang Michener regularly advises a number of Canadian financial institutions on the terms and scope of title insurance policies and adequacy of coverage. We deliver title insurance opinions in Ontario and British Columbia and prepare master opinions and co-ordinate supporting opinions with agents in all other provinces and territories across Canada. We also provide opinions on alternatives to title insurance, including the Western Canadian Conveyancing Protocol prepared by the Law Societies of British Columbia, Alberta, Saskatchewan, and Manitoba. Our network of knowledgeable agents makes national transactions uncomplicated and more effective.

We Wrote the Book

Lang Michener wrote the only Canadian book on title insurance, *Title Insurance – A Guide to Regulation, Coverage and Claims Process in Ontario*, published by Commerce Clearing House Canada. The book provides real estate professionals with information about the use of title insurance to cover risks in commercial and residential real estate purchase and lending transactions.

Bruce McKenna, one of Canada's foremost title insurance legal practitioners, writes the title insurance sections of *Commerce Clearing House's Ontario Real Estate Law Guide*, the only independent Canadian analysis of title insurance. Mr. McKenna also presents papers on title insurance to the Canadian Bar Association Ontario, the Law Society of Upper Canada, the American Land Title Association, the New York Law Journal, and the New York Land Title Association.

Title Insurance

For more information contact:

Toronto

Bruce A. McKenna
416-307-4112
bmckenna@langmichener.ca

Vancouver

Anthony H.S. Knight
604-691-7406
tknight@lmls.com

Ottawa

Barbara Sinclair
613-232-7171 ext.130
bsinclair@langmichener.ca

Representative Work

Our lawyers represent insured purchasers and lenders in a number of title-insured transactions.

In the acquisition of Tim Hortons, a transaction that included the largest title insurance component ever carried out in Canada, nearly 600 title insurance policies were issued. We negotiated the policies, endorsements and premiums and supervised the completion of the title work carried out by law firms across the country. We also provided advice in the acquisition of KFC and Pizza Hut outlets in Ontario, Quebec and Alberta, and the subsequent formation of a joint venture with outlets across Canada.

We make claims on behalf of insured clients against title insurers and are retained by those insurers to resolve the title defect to our insured clients' satisfaction. Our familiarity with policy coverage and the claims approaches of title insurers has made the resolution of these matters remarkably effective and non-confrontational—saving time and money.

Lang Michener has the experience to negotiate applicable endorsements and title instructions effectively. In addition to cost saving and transaction facilitation, the international acceptability of title insurance and the options available to lenders to market their loan portfolio in American markets makes title insurance an obvious choice.

About Lang Michener

Lang Michener is a leader in Canada's legal profession and has been for more than 80 years. Our international firm, with offices in Toronto, Vancouver, Ottawa and Hong Kong, has over 200 dynamic professionals who provide effective, innovative solutions to Canadian and international clients.

For more information, please visit our website at langmichener.ca.

Toronto

Brookfield Place
181 Bay Street, Suite 2500
P.O. Box 747
Toronto, ON M5J 2T7
Tel.: 416-360-8600
Fax.: 416-365-1719

Vancouver

1500 Royal Centre
1055 West Georgia Street
P.O. Box 11117
Vancouver, BC V6E 4N7
Tel.: 604-689-9111
Fax.: 604-685-7084

Ottawa

50 O'Connor Street
Suite 300
Ottawa, ON K1P 6L2
Tel.: 613-232-7171
Fax.: 613-231-3191

Hong Kong

1106, Tower 1
Lippo Centre, 89 Queensway
Hong Kong, SAR
Tel.: 852 3101 0213
Fax.: 852 3585 1233