

**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](mailto:landtitlesoffice@gov.yk.ca)**

## **GENERAL INFORMATION**

### **MORTGAGE (CORPORATIONS)**

***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 mortgage, 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 Mortgage, Affidavit of Corporate Authority, Spousal Affidavit and Affidavit of Consent to Disposition of a Family Home (“Mortgage 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 Mortgage Package you will require a Notary Public in and for Yukon.
  - The Mortgage and Spousal Affidavit are to be duly completed by the Mortgagor(s);
  - The Notary Public should not have an interest in this transaction;
  - The Land Titles Office cannot 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.
9. Instruments signed by a body corporate will only be registered if submitted with a Certificate of Status issued within the past 60 days by the Yukon Registrar of Corporations or other appropriate official with respect to that body corporate confirming that the body corporate exists under Yukon law or is registered as an extra-territorial body corporate under Yukon law. Bodies corporate incorporated under the laws of Canada that are not required to be registered in Yukon may provide an equivalent Certificate of Status, issued within the past 60 days, by the Government of Canada.

When you have completed the form:

- a) Take the form to:

Land Titles Office, 1<sup>st</sup> Floor, The Andrew A. Philipsen Law Centre

2134 Second Avenue, Whitehorse, Yukon Y1A 5H6

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- 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:**

**Mortgage Fees**

> \$99,999.99	\$50.00
\$100,000.00 to \$499,999.99	\$100.00
\$500,000.00 to \$999,999.99	\$200.00
\$1,000,000.00 to \$4,999,999.99	\$400.00
\$5,000,000.00 to \$9,999,999.99	\$600.00
\$10,000,000.00 to \$19,999,999.99	\$800.00
\$20,000,000.00 or greater	\$1,000.00

## **COMPLETION INSTRUCTIONS FOR MORTGAGE**

**Mortgagor** – Print the full name(s) of the corporation, as well as tenancy type (if applicable), as shown on the Certificate of Title. If the tenancy type is Tenants-in-Common, the percentage of each corporation mortgaging their interest is required. If there is insufficient space to enter the names of all the mortgagors, enter “See Schedule” and set out the names of all the mortgagors in a schedule.

**Registered Owner of (estate type):** Select whether ownership is fee simple, leasehold or life estate. Complete registration number, if applicable.

**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”.

**Mortgagee** – Print the complete name and address of the Mortgagee (individual or company lending the money).

### **FINANCIAL TERMS:**

#### **Required Information:**

(a) **Principal Amount Secured:** Enter principal amount in figures only.

(b) **Interest Rate:** Enter the interest rate as a percentage.

(c) **Balance Due Date:** Enter the date on which the balance is due, and tick the box beside the date. If mortgage is payable On Demand, tick the box.

**Optional Information:** not required for LTO purposes and will not be examined if completed. LTO has included this section as additional financial terms that lenders may require for lending purposes.

### **MORTGAGE TERMS:**

Please select one of the mortgage terms that will form part of the mortgage. Note that one option must be selected and completed.

### **ADDITIONAL MORTGAGE TERMS:**

If the Express Mortgage Terms or Filed Standard Mortgage Terms are to be added to, deleted from or modified, these additions, deletions or modifications can be entered here. If there is insufficient space, state “see schedule” and set them out in a schedule.

**Date** – Print date that the Mortgage was signed.

**Signature of Mortgagor** – Officer, Director or Signing Officer to sign and print their name and position below their signature. If the body corporate has a seal, place seal here. If the body corporate does not have a seal, the Affidavit of Corporate Authority (Body Corporate signing without seal) must be completed. See below for instructions.

## **COMPLETION INSTRUCTIONS FOR AFFIDAVIT OF CORPORATE AUTHORITY**

**Name** – Print name of officer or director as shown on the Mortgage signature page.

**Office or Director of** – Print name of mortgagor / body corporate as shown on Mortgage.

**Signature of Officer/Director** – Officer/Director to sign in front of a Lawyer / Notary Public and print their name below their signature as shown under Name of Director above and on the Mortgage.

**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 CORPORATIONS**

**\*This affidavit must be completed by all Mortgagors, whether the property was occupied as a family home or not\***

**Name** – Print the full name of the officer or director of the body corporation.

Tick the applicable box in item 5 and complete as necessary. In the event that 5(b) is selected, the spouse of the Director/Officer named will need to complete the Affidavit of Consent to Disposition of a Family Home, instructions below.

**Signature of Applicant** – The Director/Officer to sign in front of a Lawyer / Notary Public and print their name and position below their signature as shown on 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.

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

**\* This affidavit only needs to be completed if 5(b) is selected on the Spousal Affidavit \***

**Name of Consenting Spouse** – Print name of spouse of the Director/Officer that was named in 5(b) on the Spousal Affidavit.

**Spouse of** – Print name of Director/Officer as shown in 5(b) on the Spousal Affidavit.

**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.

**MORTGAGE (Corporations)**  
(s. 122)

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\_\_\_\_\_ (“Mortgagor”)  
*(print full name(s) of corporation and tenancy type as shown on Certificate of Title)*

being registered owner(s) of *(select only one)*:

- ☐ an estate in fee simple; or  
☐ a leasehold estate, see Lease Registration Number \_\_\_\_\_,

of the following land(s) described as follows:

Legal Description(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (“Property”)

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

Registration number(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*(List registration numbers of all encumbrances, writs (including writs registered in the general registry), liens and interests and specify which encumbrances are to be discharged. If there are no encumbrances, state “NIL”)*

hereby mortgage my/our entire estate and interest in the Property to the person or entity named below (“Mortgagee”):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
*(print complete name and address of Mortgagee)*

**FINANCIAL TERMS**

<b>REQUIRED INFORMATION:</b>		
(a) Principal Amount Secured:	(b) Interest Rate:	(c) Balance Due Date: <input type="checkbox"/> _____; or <input type="checkbox"/> On Demand

<b>OPTIONAL INFORMATION:</b>		
(d) Interest Calculation Period:	(e) Amount of Each Periodic Payment:	(f) Payment Dates:
(g) Interest Adjustment Date:	(h) First Payment Date:	(i) Last Payment Date:

**MORTGAGE TERMS**

This mortgage incorporates, by reference, the provisions contained in the following  
(*must select one*):

- ☐ Express Mortgage Terms attached hereto  
☐ Filed Standard Mortgage Terms – see Registration Number \_\_\_\_\_

as varied by any deletions from, or amendments or additions to, set forth in Additional Mortgage Terms below. If attaching a schedule, please state “See Schedule”.

**ADDITIONAL MORTGAGE TERMS**

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**ACKNOWLEDGEMENTS**

The Mortgagor hereby acknowledges the following:

- (a) That the Mortgagor understands the nature of the Mortgage Terms incorporated by reference above and the covenants made therein; and
- (b) That the Mortgagor has been given a copy of the Mortgage Terms incorporated by reference.

Dated: \_\_\_\_\_, 20\_\_\_\_

Authorized Signatory: \_\_\_\_\_

*(Signature of Mortgagor– must be an Officer, Director or  
Signing Officer)*

\_\_\_\_\_  
*(print name and position of Authorized Signatory)*

*(Seal)*

Second Authorized Signatory: \_\_\_\_\_

*(Signature of Mortgagor – if two signatures are required by  
By-Laws or Board of Directors)*

\_\_\_\_\_  
*(print name and position of Authorized Signatory)*

**EXECUTION BY A BODY CORPORATE s. 46(1)** Instruments signed by a body corporate must be signed by at least one officer or director and have the corporate seal attached or be accompanied by an Affidavit of Corporate Authority wherein the officer or director signing the document attests that they have the authority to execute the document on behalf of the body corporate. A form of Affidavit of Corporate Authority that may be used for all instruments executed by a body corporate for the purposes of the Act is available as a separate document.

**CERTIFICATE OF STATUS s.46(2)**

**Instruments signed by a body corporate will only be registered if submitted with a Certificate of Status** issued within the past 60 days by the Yukon Registrar of Corporations or other appropriate official with respect to that body corporate confirming that the body corporate exists under Yukon law or is registered as an extra-territorial body corporate under Yukon law. Bodies corporate incorporated under the laws of Canada that are not required to be registered in Yukon may provide an equivalent Certificate of Status, issued within the past 60 days, by the Government of Canada. Notarial Certified True Copies will be accepted.

All Corporations are required to complete the within Spousal Affidavit

**AFFIDAVIT OF CORPORATE AUTHORITY**  
**(BODY CORPORATE SIGNING WITHOUT SEAL)**  
(s. 46(1)(b))

TO THE REGISTRAR:

NAME: \_\_\_\_\_  
*(print full name of officer or director)*

I SWEAR / AFFIRM THAT:

1. I am an officer or director of \_\_\_\_\_  
*(name of body corporate)*
2. The above named body corporate is in good standing and legally entitled to hold and dispose of property in Yukon.
3. I have authority to execute the annexed instrument on behalf of the above named body corporate, without using a seal.
4. The above facts are true to the best of my knowledge, information and belief.

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: \_\_\_\_\_) )

\_\_\_\_\_ )

\_\_\_\_\_  
*(Signature)*

\_\_\_\_\_  
*(print full name)*

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



**FAMILY PROPERTY AND SUPPORT ACT  
SPOUSAL AFFIDAVIT FOR CORPORATIONS**

TO THE REGISTRAR:

NAME: \_\_\_\_\_  
(print full name of officer, director or authorized signatory of Corporation)

I SWEAR / AFFIRM THAT:

1. The word “Property” as used herein means the property described in the attached instrument;
2. The word “Corporation” as used herein means the body corporate in the attached instrument;
3. The words “Spouse” and “Family Home” as used herein are defined in Section 1 and Section 21 of the *Family Property and Support Act* ;
4. I am an officer, director or authorized signatory of the Corporation; and
5. ☐ (a) The Property has never been occupied as a Family Home by any of the directors, officers or shareholders of the Corporation.  
or  
☐ (b) The Property has been occupied by \_\_\_\_\_ as a  
(print name of Director/Officer)  
Family Home (complete attached Affidavit of Consent to Disposition of a Family Home).

SWORN / AFFIRMED BEFORE ME )

at \_\_\_\_\_ in \_\_\_\_\_ )

on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ )

(Signature of officer, director or authorized  
signatory)

\_\_\_\_\_  
(Signature of Notary or Commissioner)

\_\_\_\_\_  
(print full name)

\_\_\_\_\_  
(print full name and position)

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**

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

NAME OF CONSENTING SPOUSE: \_\_\_\_\_  
(print name of spouse)

**I SWEAR / AFFIRM THAT**

1. I am the spouse of \_\_\_\_\_  
(print name of Director/Officer as shown named in 5(b) of Spousal Affidavit)
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\_\_\_\_ )

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature of Notary or Commissioner)

\_\_\_\_\_  
(print full of Consenting Spouse)

\_\_\_\_\_  
(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**