



Search Assist™

Frequently Asked Questions

1. Why a Search Assist service?

Over the years, FCT has had many discussions with Firms about their work on Commercial Real Estate deals. We consistently heard that the number one “pain point” is conducting the numerous searches involved in a commercial real estate transaction. Completing searches is time consuming and takes away from other tasks required to service clients.

The goal of FCT’s Search Assist is to make the commercial real estate lawyer and law clerk’s lives easier by taking the frustrating parts out of completing searches, while ensuring firms maintain control of the process and management of commercial files. Using an online order form, firms request the searches they want FCT to conduct and we take care of the rest: ordering searches and following up with municipalities and authorities to ensure we keep your search delivery timeline. Throughout the process, FCT will keep clerks and lawyers informed of the status of the searches.

2. What are the benefits of using FCT’s Search Assist?

FCT’s Search Assist is a **centralized solution** designed to help **manage the searches required** in a commercial real estate transaction.

- **Saves time** - FCT manages the search requests and follows up on results so lawyers/law clerks can focus on other important aspects of the transaction.
- **Makes the job easier** - FCT takes on all the administrative work related to submitting and following up requests. Customers choose how often they want to receive updates and search results.
- **Easy to use** - Firms decide which searches they want FCT to conduct through a single, online order form.

With practical, hands-on experience, FCT’s Search Assist team ensures each request is actioned promptly and follow ups are tracked systematically

3. What searches can I request?

Customers can select from a comprehensive list of Property and Corporate searches from the online order form. The full list includes searches related to title insurance, but there are also options for searches that are not specifically related to title insurance including PPSA searches, Bank Act, Bankruptcy & Insolvency and various searches conducted against corporate entities.

4. Can FCT conduct searches that are not listed on the order form?

Yes. The order form contains the most common searches conducted by law firms, but other searches required for a deal may be requested within the “Other” comment box at the end of the order form.



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5. How much does Search Assist cost?

A service fee of \$25 per individual search is applied, plus disbursements (government fees), courier fees and applicable taxes.

FCT will send an estimate of search fees and disbursements up to 3 business days after a search order request is received. An invoice that includes fees, disbursements and taxes and title insurance premiums will be sent with the title insurance policy. Payment is accepted by credit card, EFT or cheque.

6. For searches conducted via letter, how do I know what search information FCT is requesting?

Samples of the FCT letters are contained in the Resource Library section on the Search Assist order form.

7. How does FCT conduct searches with authorities that require consent from the property owner to release records?

A sample authorization form is contained in the Resource Library section of the Search Assist order form. Simply have the current property owner sign the authorization form, upload and submit it with your order. The consent form is required for Fire department and Public Health department searches.

We recommend that law firms use FCT's authorization form because it identifies and authorizes FCT as the search service provider. However, a law firm can use its own form as long as the document states that FCT has the authority to act as the search service provider to ensure the document is accepted by certain municipalities. Additionally, firms can provide FCT with the consent page from the APS.

8. How does FCT ensure that search responses are received and delivered in a timely manner?

Orders received by 3:00 pm, from Monday-Friday (Eastern Time) are actioned same-day. Orders received after 3:00 pm are processed the following business day.

FCT conducts searches online whenever possible. For searches that cannot be conducted online, FCT sends requests by overnight courier. Contact information for search authorities is stored in a database for future use, which helps to ensure requests are actioned promptly every time.

9. What happens if the searches are not received by the required date?

While FCT is subject to the response time of the municipalities, our clerks follow set procedures and schedules for following up with the municipalities to resolve any outstanding searches prior to the required date.

FCT's service level obligations include using commercially reasonable efforts to follow up with municipalities starting at 5 business days before the requisition due date with additional follow-ups occurring until all



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responses are received. FCT is not responsible for searches not received prior to the requisition date or the closing date.

If FCT is concerned that the search results won't be received by the required date, we will advise lawyers or law clerks ahead of time (while continuing to follow up with the municipalities). It should also be noted that FCT's title insurance policy may provide coverage in the absence of certain searches depending on the specific search and the type and amount of the policy.

10. How will search results be returned?

The search results are emailed to the contact who submitted the search order. The customer can select if they would like the searches forwarded as soon as they are received or sent all at once in a batch.

11. Does FCT review the search results?

FCT will review the searches for accuracy only (e.g. confirm that the search was conducted against the property identified in the order).

It is the lawyer/law clerk's responsibility to review the search results within 48 hours of receiving the result and to notify FCT if there are any concerns. The lawyer/law clerk is encouraged to notify FCT regarding any questions or issues necessary to underwrite the policy. If more information is required, FCT will reach out to the municipality as per the customer's instructions.

12. Does using FCT's Search Assist make ordering title insurance easier?

Once you submit a Search Assist order, you can rely on the Search Assist team to transfer the deal to an underwriter who will contact you at least 5 days prior to closing. You do not need to submit a separate request for the title insurance policy.

Using Search Assist can streamline the title insurance ordering process by providing FCT with access to some of the pertinent information required to underwrite the title insurance policy. FCT will leverage information you provided to simplify title insurance underwriting according to your order preference method.

If your search response reveals any issues, there may be coverage available under the policy depending on the specific search and the type and amount of the policy. If you have any questions, please contact us with your FCT Reference Number to discuss underwriting options.



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13. Does title insurance cover errors in search responses?

Yes, under the Government Response endorsement, FCT provides coverage for loss resulting from an error in any written off-title responses received that relate to outstanding work orders, deficiency notices or to the zoning of the land (excluding environmental matters). Searches must be conducted prior to closing for the coverage to apply.

Questions? Please contact FCT's Search Assist team

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