

# Quick Reference: RESIDENTIAL TITLE INSURANCE



Stewart Title's Residential Gold Owner Policy will insure your clients against losses arising out of the following covered risks:

- **Survey/Real Property Report Coverage** – available for many survey/real property report related matters such as:
  - forced removal by a governmental authority or an affected neighbour/easement holder of all or part of the existing structure(s)\* due to encroachments onto adjoining land or onto an easement.
  - the land being unmarketable, which allows another person to refuse to perform a contract to purchase, lease or make a mortgage loan due to adverse matters that would have been disclosed by an up-to-date survey/real property report.
- **Liens and Encumbrances on Title** – that take priority over the insured purchaser's interest which the insured purchaser did not agree to and was not obligated to accept. This includes, but is not limited to, liens created by Municipal utility arrears and condominium/strata arrears.
- **Real Property Tax Arrears** – losses resulting from the seller's failure to pay real property taxes, unless the insured purchaser agreed to be responsible for them.
- **Gap Coverage** – losses due to intervening liens or encumbrances that arise between the date of closing and the date of registration of the insured transfer/deed.
- **Title Fraud** – losses if title is challenged as a result of fraud, including the use of a fraudulent power of attorney. Coverage under this provision is applicable even if this risk first arises after the policy date, such as the registration of a fraudulent mortgage by an impostor.
- **Access** – lack of pedestrian and vehicular access to the insured land.
- **Zoning Non-Compliance\*\*** – the use of the land for a single-family residence not being permitted (or if a multi-unit endorsement is attached, the use for the number of units referenced therein not being permitted).
- **Building Permits** – forced removal by a governmental authority of all or part of the existing structure(s)\* located on the land because it was built without a required permit.
- **Work Orders** – existing at the policy date but unknown to the insured purchaser.
- **Known Title Defects** – our ability to insure over many known title defects via custom underwriting often permits a transaction to close on a timely basis. Please contact a Stewart Title Underwriter prior to closing for further information with respect to specific underwriting needs.
- **The "Duty to Defend"** – Stewart Title will pay the legal fees and expenses incurred to defend the insured's title in any court case to the extent that the case is based on a Covered Risk. This duty ends upon settlement of the claim.

Contact us for  
more information.

(888) 667-5151  
stewart.ca



Policies are subject to exceptions and exclusions from coverage. Title insurance is not a home warranty product and accordingly, it does not guarantee that the house and other structures located on the property are well built, nor does it guarantee that there are no defects that will need repair (e.g., leaking roof, foundation issues).

Visit our website for details: [www.stewart.ca/ResidentialOwnerPolicy](http://www.stewart.ca/ResidentialOwnerPolicy)

\* Excluding boundary walls or fences (Ontario and Atlantic Canada). For Western Canada, limited coverage for fences and boundary walls is found in the Western Canada endorsement - subject to a maximum limit of coverage of \$5,000 and a \$450 deductible.

\*\* Not applicable for vacant land.

Unless otherwise stated, coverage is provided to the extent that the risk(s) exists but are unknown at the policy date.

Inquire with an underwriter to obtain guidelines for coverage for your particular transaction; each transaction is underwritten on a case-by-case basis.

This brochure is intended to provide information that is of a general nature and is subject to change. For full particulars of coverage, including exceptions and exclusions, please review the actual policy issued. Sample policies are available on request. Sample policies may not represent the final policy language issued for any particular transaction. The confidentiality and protection of personal information is important to Stewart Title. To view our privacy policy, visit [www.stewart.ca/privacy](http://www.stewart.ca/privacy).