



BUILDING BULLETIN

Notice on Title (Section 57)

October 22, 2025

Bulletin No 25-04

Notice on Title – Section 57

What is a Notice on Title? When it may be applied and how to remove it.

PURPOSE

To provide information on Section 57 and 58 of the British Columbia Community Charter.

WHAT IS A NOTICE ON TITLE?

Section 57 of the British Columbia Community Charter allows local governments, such as the District of Summerland to register a notice on a property's title through the Land Title and Survey Authority of BC (LTSA). The presence of a Notice on Title may have a negative impact on a property's sale, value, insurance and financing. Property owners are advised to undertake inquiries with their lenders, insurers or other relevant parties to determine the impact a Notice on Title may have.

WHEN WOULD THE DISTRICT OF SUMMERLAND CONSIDER A NOTICE ON TITLE?

A notice on title would be considered in the following circumstances:

- *Construction conducted on a property without valid Building Permit*
- *Renovations or modifications to a building without a valid Building Permit*
- *Construction deficiencies found during an inspection that are not rectified*
- *Concealing construction without required inspections*
- *Occupying a Building Without an Occupancy Certificate*
- *An expired building permit*
- *A dangerous condition that exists on the property*
- *Any other circumstances that a Building Official may deem necessary*

WHAT IS THE REASON FOR A NOTICE ON TITLE?

Filing a notice on title is a tool to gain compliance with the British Columbia Building Code, the Building Bylaw and to serve as a disclosure mechanism protecting future owners, taxpayers or parties with an interest in the property.



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HOW IS A NOTICE PLACED ON A TITLE?

The District of Summerland Corporate Officer will notify the property owner in writing that the recommendation of a Notice on Title is being brought before Council. The property owner is given the opportunity to address the Council. If Council confirms the recommendations of the Building Official, it may pass a resolution under Section 57 of the Community Charter and direct the Corporate Officer to register a notice on the property title with the LTSA. This notice will indicate to any interested party that a Building Bylaw contravention exists.

HOW CAN A NOTICE ON TITLE BE REMOVED (Section 58 of the British Columbia Community Charter)?

To request the removal of a Notice on Title, the property owner must contact Development Services, and a Building Official will review the request to determine if removal is possible. A building permit and inspections may be required. Payment of the fee for removal of a Notice on Title and/or special inspections as per the District of Summerland Fees and Charges Bylaw may be required. Once completed the Corporate Officer will remove the Notice on Title as per Section 58 of the Community Charter.

WHAT OTHER ENFORCEMENT ACTION MAY OCCUR?

Violations to the Building Bylaw may also incur Bylaw Notices (Ticketing), Remedial Action Requirements and Civil Injunction.

DISCLAIMER

This bulletin is not intended to be a replacement for reviewing bylaws or the associated legislation. Any contradiction between this document and the relevant bylaws or legislation, please refer to the bylaws or legislation. If you have any questions or concerns regarding a Notice on Title, please refer to section 57 or the Community Charter and seek your own independent legal advice.