October 21, 2015

Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: SNL-037-2015]

On September 24, 2015, Service NL received the transfer of your request from the Department of Finance for access to the following records:

"I am requesting a list of the dollar value of current liens placed on properties in the province by the Gov of NL. For example there is a property in my community with a lien over $300,000.00. I understand that some details would not be available. I am only interested in the dollar amount and the year the lien was placed."

By way of this letter, please be advised that the information you requested for liens placed on properties in Newfoundland and Labrador, including liens placed on properties by the Government of Newfoundland and Labrador, are normally available to the public though the Registry of Deeds and Registry of Mechanics' Liens, which is maintained by Service NL. Instructions for accessing these registries are enclosed along with this letter. Further to these instructions, it is advisable for you to please contact Mr. Dean Doyle, Director of Commercial Registrations at (709) 729-3317 directly, as the information you are seeking is not easily obtainable in a consolidated format.

Further to your request, officials in Service NL consulted with the Department of Finance for additional information on their procedure and purpose for registering liens on properties. The Department of Finance decides when to register a lien on a case by case basis. The Crown has a lien on all assets of a taxpayer’s estate in cases where the individual has a tax liability. There is no requirement to register the lien at the Registry of Deeds or the Personal Property Registry in order for it to be valid. If it is decided that a registration of the lien is warranted, a Notice of Statutory Lien and lien form is filed with the Registry of Deeds. Once the taxpayer account has been paid the lien is released.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, which is set out in section 42 of the Access to Information and Protection of Privacy Act (the Act). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.
The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have these responsive records posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact me by telephone at 709-729-7437 or by email at ellenhaskell@gov.nl.ca.

Sincerely,

[Signature]

ELLEN HASKELL
ATIPP Coordinator
For searching the Registry of Deeds:

1. Search online (for registrations dating back to 1982). There will be a $5 charge to see search results and an additional $5 to see deeds details for each registration from the search results that you wish to view details on: https://cado.eservices.gov.nl.ca/Deeds/DeedsMain.aspx.

2. You can visit the Registry office (or have someone visit on your behalf) located at 59 Elizabeth Avenue, in St. John's during business hours for all registrations back to 1825. Searching and viewing records are free inside the Registry but copies and printouts are $0.25 per page.

3. You can enlist the services of a private professional search firm. Please refer to the following site for a list of firms who offer this service: http://www.servicenl.gov.nl.ca/department/registries_contact.html#deeds.

For searching the Registry of Mechanics' Lien (this is for registration of a claim for lien against real property for work done or to be done, or materials placed or provided or to be placed or provided on a particular property) similarly there are several options:

4. Search online at https://cado.eservices.gov.nl.ca/MechanicsLiens/MechanicsMain.aspx. There will be a $5 charge to see search results and an additional $5 to see deeds details for each registration from the search results that you wish to view details on.

5. You can visit the Registry office (or have someone visit on your behalf) located at 59 Elizabeth Avenue, St. John's during business hours. Searching and viewing records are free inside the Registry but copies and printouts are $0.25 per page.

6. You can also enlist the services of a private professional search firm. Please find a link to a list of firms offering this service: http://www.servicenl.gov.nl.ca/department/registries_contact.html#deeds.