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Certificate of Title Requirements Update – February 2019

From 4 March 2019 the paper certificate of title (CT) or CoRD holder consent must be lodged where the following dealings are lodged in respect of a first registered mortgage/charge:

- Transfer of mortgage,
- Transfer of charge,
- Change of name,
- Notice of Death,
- Record new registered proprietor s46C Real Property Act 1900,
- Transmission application for a devisee, and
- Transmission application for an executor

As each of these dealings affect the first mortgage/charge, the first mortgagee/chargee must consent to the transaction. To ensure this happens NSW LRS has implemented a change in practice requiring the compulsory lodgement/production of the CT or CoRD Holder Consent for the registration of the listed dealings. This change is also to ensure that the new CT or Control of Right to Deal is given to the new first mortgagee/chargee on title.

This change will not apply to dealings that affect a second or subsequent registered mortgage/charge.

The Registrar General Guidelines will be amended to reflect the changes.

Related Information

This announcement is available on our website www.nswlrs.com.au

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