



## Real Property Law Resources

<p>Legislation</p>	<p>Federal Legislation:  <u><i>Dry Docks Subsidies Act</i>, R.S.C. 1985, c. D-4.</u>  <u><i>Federal Real Property and Federal Immovables Act</i>, S.C. 1991, c. 50.</u>  <u><i>Seized Property Management Act</i>, S.C. 1993, c. 37.</u>  <u><i>Surplus Crown Assets Act</i>, R.S.C. 1985, c. S-27.</u></p> <p>Provincial Legislation:</p> <table border="0"> <tr> <td><u><i>Assessment Act</i>, R.S.N.S. 1989, c. 23.</u></td> <td><u><i>Land Registration Act</i>, S.N.S. 2001, c. 6.</u></td> </tr> <tr> <td><u><i>Assignments and Preferences Act</i>, R.S.N.S. 1989, c. 25.</u></td> <td><u><i>Land Surveyors Act</i>, R.S.N.S. 1989, c. 249.</u></td> </tr> <tr> <td><u><i>Builders' Lien Act</i>, R.S.N.S. 1989, c. 277.</u></td> <td><u><i>Marketable Titles Act</i>, S.N.S. 1995-96, c. 9.</u></td> </tr> <tr> <td><u><i>Condominium Act</i>, R.S.N.S. 1989, c. 85.</u></td> <td><u><i>Matrimonial Property Act</i>, R.S.N.S. 1989, c. 275.</u></td> </tr> <tr> <td><u><i>Conservation Easements Act</i>, S.N.S. 1992, c. 2.</u></td> <td><u><i>Planning Act</i>, R.S.N.S. 1989, c. 346.</u></td> </tr> <tr> <td><u><i>Conveyancing Act</i>, R.S.N.S. 1989, c. 97.</u></td> <td><u><i>Probate Act</i>, S.N.S. 2000, c. 31.</u></td> </tr> <tr> <td><u><i>Crown Lands Act</i>, R.S.N.S. 1989, c. 114.</u></td> <td><u><i>Quieting Titles Act</i>, R.S.N.S. 1989, c. 382.</u></td> </tr> <tr> <td><u><i>Environment Act</i>, S.N.S. 1994-95, c. 1.</u></td> <td><u><i>Real Property Act</i>, R.S.N.S. 1989, c. 385.</u></td> </tr> <tr> <td><u><i>Expropriation Act</i>, R.S.N.S. 1989, c. 156.</u></td> <td><u><i>Real Property Transfer Validation Act</i>, R.S.N.S. 1989, c. 386.</u></td> </tr> <tr> <td><u><i>Heritage Property Act</i>, R.S.N.S. 1989, c. 199.</u></td> <td><u><i>Registry Act</i>, R.S.N.S. 1989, c. 392.</u></td> </tr> <tr> <td><u><i>Intestate Succession Act</i>, R.S.N.S. 1989, c. 236.</u></td> <td><u><i>Vendors and Purchasers Act</i>, R.S.N.S. 1989, c. 487.</u></td> </tr> </table> <p>For a detailed list of property-related statutes in Nova Scotia, please see Charles W. MacIntosh's "<u>Minor League Real Estate Legislation</u>" in <i>Real Estate 1994</i> (Halifax, N.S.: Continuing Legal Education Society of Nova Scotia, 1994). KB 170 C760 1994 / available online via <u>Secondary Sources</u>, as well as Garth C. Gordon's "<u>Property Related Statutes in Nova Scotia</u>" in <i>Real Estate 1995</i> (Halifax, N.S.: Continuing Legal Education Society of Nova Scotia, 1995). KB 170 C760 1995 / available online via <u>Secondary Sources</u></p>	<u><i>Assessment Act</i>, R.S.N.S. 1989, c. 23.</u>	<u><i>Land Registration Act</i>, S.N.S. 2001, c. 6.</u>	<u><i>Assignments and Preferences Act</i>, R.S.N.S. 1989, c. 25.</u>	<u><i>Land Surveyors Act</i>, R.S.N.S. 1989, c. 249.</u>	<u><i>Builders' Lien Act</i>, R.S.N.S. 1989, c. 277.</u>	<u><i>Marketable Titles Act</i>, S.N.S. 1995-96, c. 9.</u>	<u><i>Condominium Act</i>, R.S.N.S. 1989, c. 85.</u>	<u><i>Matrimonial Property Act</i>, R.S.N.S. 1989, c. 275.</u>	<u><i>Conservation Easements Act</i>, S.N.S. 1992, c. 2.</u>	<u><i>Planning Act</i>, R.S.N.S. 1989, c. 346.</u>	<u><i>Conveyancing Act</i>, R.S.N.S. 1989, c. 97.</u>	<u><i>Probate Act</i>, S.N.S. 2000, c. 31.</u>	<u><i>Crown Lands Act</i>, R.S.N.S. 1989, c. 114.</u>	<u><i>Quieting Titles Act</i>, R.S.N.S. 1989, c. 382.</u>	<u><i>Environment Act</i>, S.N.S. 1994-95, c. 1.</u>	<u><i>Real Property Act</i>, R.S.N.S. 1989, c. 385.</u>	<u><i>Expropriation Act</i>, R.S.N.S. 1989, c. 156.</u>	<u><i>Real Property Transfer Validation Act</i>, R.S.N.S. 1989, c. 386.</u>	<u><i>Heritage Property Act</i>, R.S.N.S. 1989, c. 199.</u>	<u><i>Registry Act</i>, R.S.N.S. 1989, c. 392.</u>	<u><i>Intestate Succession Act</i>, R.S.N.S. 1989, c. 236.</u>	<u><i>Vendors and Purchasers Act</i>, R.S.N.S. 1989, c. 487.</u>
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<p>Case Law</p>	<p>Case Law Reporters:  <u><i>Land Compensation Reports</i> (1971 - ) In Storage / available on Westlaw Canada's LawSource (1977 - )</u>  <u><i>Municipal and Planning Law Reports</i> (1976 - ) Aisle 21 / available on Westlaw Canada's LawSource (database identifier: MPLR-RPTS; 1976 - )</u>  <u><i>Real Property Reports</i> (1977 - ) Aisle 21 / available on Westlaw Canada's LawSource (database identifier: RPR-RPTS; 1977 - )</u></p> <p>Internet Resources:          Law News Online &lt;<a href="http://www.nsbs.org/librarydatabases.php?page=LNBQBE">http://www.nsbs.org/librarydatabases.php?page=LNBQBE</a>&gt;          This database provides access to the full text of decisions from Nova Scotia (primarily the Court of Appeal and the Supreme Court), as well as access to the digests of decisions that appear in the <i>Nova Scotia Law News</i>. Please read the "Coverage of Database" note on the query screen to Law News Online for the correct coverage information.</p>																						

	<p>CanLII &lt;<a href="http://www.canlii.org">http://www.canlii.org</a>&gt;  This database includes decisions from all provinces and territories across Canada, as well as the federal level, including the Supreme Court of Canada and the Federal Court of Canada.</p> <p>The Courts of Nova Scotia - Decisions Database &lt;<a href="http://decisions.courts.ns.ca/">http://decisions.courts.ns.ca/</a>&gt;  This database provides access to the full text of decisions from various levels of courts in Nova Scotia. Consult the website for coverage information.</p> <p>Commercial Databases:  Westlaw Canada's LawSource  This resource is available to all members of the Nova Scotia Barristers' Society via the public access computers at barristers' libraries throughout the province. LawSource includes, but is not limited to, decisions from the <i>Land Compensation Reports</i>, <i>Municipal and Planning Law Reports</i>, and <i>Real Property Reports</i>.</p> <p>LexisNexis Quicklaw &lt;<a href="http://www.lexisnexis.com/ca/legal/">http://www.lexisnexis.com/ca/legal/</a>&gt;  Subscription required. Choose the topic of Property Law from the Source Directory to access Quicklaw's collection of case law, commentary, legal news, and journals on the topic of property law.</p> <p>Maritime Law Book &lt;<a href="http://www.mlb.nb.ca/">http://www.mlb.nb.ca/</a>&gt;  Subscription required to access value-added content. Use Maritime Law Book key numbers 1-9200 under the topic of Real Property to find case law on this subject.</p>
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Case Digests	<p><i>Nova Scotia Law News</i> (1974 - ) Aisle 18 / available on Law News Online (1989 -)  Digests of recent cases appear in the <i>Nova Scotia Law News</i>, which is published quarterly as part of <i>The Society Record</i>. In addition, these digests are available electronically through Law News Online &lt;<a href="http://www.nsbs.org/librarydatabases.php?page=LNBQBE">http://www.nsbs.org/librarydatabases.php?page=LNBQBE</a>&gt;. Please read the "Coverage of Database" note on the query screen to Law News Online for the correct coverage information.</p> <p><i>Canadian Abridgment Case Digests</i> (3d ed.) Aisle 3 / available on Westlaw Canada's LawSource  Vols. 92-98: Real Property</p>
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Canadian Encyclopedic Digest (Ont., 3d & 4th eds.)	<p>Vol. 3, Title 19 : Boundaries and Surveys (4th ed.)  Vol. 4A, Title 27.1: Condominiums (4th ed.)  Vol. 8A, Title 44: Deeds and Documents (3d ed.)  Vol. 9, Title 50: Drainage (3d ed.)  Vol. 9, Title 51: Easements (3d ed.)  Vol. 12, Title 60: Expropriation (4th ed.)  Vol. 14, Title 71: Highways and Streets (4th ed.)  Vol. 21, Title 96: Mortgages (4th ed.)  Vol. 25, Title: 109: Perpetuities and Accumulations (4th ed.)  Vol. 25, Title 110: Planning and Zoning (3d ed.)  Vol. 28, Title 123: Real Property (4th ed.)  Vol. 29, Title 130: Sale of Land (4th ed.)  Vol. 31, Title 137: Timber (4th ed.)</p> <p>Aisle 3. This material is also available on Westlaw Canada's LawSource. The third edition of the <i>Canadian Encyclopedic Digest</i> is being replaced, on a title-by-title basis, with the fourth edition.</p>
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	Always check the currency date of each title.
Halsbury's Laws of Canada (1st ed.)	Conflict of Laws ( <i>see VII. Property - 1. Property</i> ) Planning and Zoning  Aisle 2.
Journals	The <i>Index to Canadian Legal Literature</i> provides citations to articles found in scholarly journals, as well as citations to other periodicals, books, government publications, audio-visual material, continuing legal education material, and case comments. Search for legal literature by author, title, subject, case, or statute. The <i>Index to Canadian Legal Literature</i> is available in print as part of the <i>Canadian Abridgment</i> , as well as electronically via Westlaw Canada's LawSource (database identifier: ICLL) and LexisNexis Quicklaw.
Texts	<p>Texts marked with a star ( * ) are available in the reserve collection, and in most cases, the circulating collection.</p> <p>General:</p> <p>Bennett, Frank. <i>Bennett on Power of Sale</i>, 4th ed. (Scarborough, Ont.: Carswell, 1996). KB 176 B471 1996</p> <p>Benson, Marjorie L., Marie-Ann Bowden &amp; Dwight Newman. <i>Understanding Property: A Guide to Canada's Property Law</i>, 2d ed. (Toronto: Thomson Carswell, 2008). KB 170 B474 2008</p> <p>* Di Castri, Victor. <i>Law of Vendor and Purchaser</i>, 3d ed., looseleaf (Toronto: Carswell, 1988). KB 170 D545 1988</p> <p>Falconbridge, John. <i>Falconbridge on Mortgages</i>, 5th ed., looseleaf (Agincourt, Ont.: Canada Law Book, 2003). KB 176 F181M 2003</p> <p>Gaunt, Jonathon &amp; Paul Morgan. <i>Gale on Easements</i>, 17th ed. (London: Sweet &amp; Maxwell, 2002). KB 178.E2 G151 2002</p> <p>* La Forest, Anne W. <i>Anger and Honsberger: Law of Real Property</i>, 3d ed., looseleaf (Aurora, Ont.: Canada Law Book, 2006). KB 170 A587 2006</p> <p>* La Forest, Gerard V. <i>Water Law in Canada: The Atlantic Provinces</i> (Ottawa: Information Canada, 1973). KB 178.W3 L167 1973</p> <p>Law Society of Upper Canada. <i>Law Society of Upper Canada Special Lectures 2002: Real Property Law: Conquering the Complexities</i> (Toronto: Irwin Law, 2003). KB 100 L416 2002</p> <p>Lipson, Barry D. <i>The Art of the Real Estate Deal</i>, 2d ed. (Toronto: Thomson Carswell, 2006). KB 170 L767 2006 + CD-ROM</p> <p>Loeb, Audrey M. <i>Condominium Law and Administration</i>, 2d ed., looseleaf (Scarborough, Ont.: Carswell, 1989). KB 178.C7 L825 1989</p> <p>* MacIntosh, Charles W. <i>Nova Scotia Real Property Practice Manual</i>, looseleaf (Toronto: Butterworths, 1988). KB 170 M152 1988</p>

Nova Scotia Real Estate Task Force. *Report on Mortgage Payout Protocol for Residential Mortgages* (Halifax, N.S.: The Society, 2006). KB 176 R288 2006 / Oversize Collection

Perell, Paul M. & Bruce H. Engell. *Remedies and the Sale of Land*, 2d ed. (Markham, Ont.: Butterworths, 1998). KB 172 P437 1998

Sinclair, Alan M. & Margaret E. McCallum, *Introduction to Real Property Law*, 5th ed. (Markham, Ont.: Butterworths, 2005). KB 170 S616 2005

Ziff, Bruce. *Principles of Property Law*, 4th ed. (Toronto: Thomson Carswell, 2006). KB 170 Z68 2006

Leasing & Tenancy:

Haber, Harvey M. *Assignment, Subletting and Change of Control in a Commercial Lease: A Practical Guide* (Aurora, Ont.: Canada Law Book, 2002). KB 175 H114 2002

Haber, Harvey M. *The Commercial Lease: A Practical Guide*, 4th ed. (Aurora, Ont.: Canada Law Book, 2004). KB 175 H114 2004 + CD-ROM

Haber, Harvey M. *Distress: A Commercial Landlord's Remedy* (Aurora, Ont.: Canada Law Book, 2001). KB 175 H114D 2001

Haber, Harvey M. *Shopping Centre Leases*, 2d ed. (Aurora, Ont.: Canada Law Book, 2008). KB 175 H114 2008

Haber, Harvey M. *Understanding the Commercial Agreement to Lease*, 2d ed. (Aurora, Ont.: Canada Law Book, 2006). KB 175 H113 2006

Michaeloff, Dawn. *Insurance and Risk Management in Commercial Leasing* (Aurora, Ont.: Canada Law Book). KB 175 M621 2009

Olson, Richard. *A Commercial Tenancy Handbook*, looseleaf (Toronto: Thomson Carswell, 2004). KB 175 O42 2004

Saft, Stuart M. *Commercial Real Estate Leasing* 2d ed. (Danvers, Mass.: Thomson West: 2004). KB 175 S228 2004

Selby, Ralph F. *Leasing in Canada: A Business Guide*, 3d ed. (Toronto: Butterworths, 1999). KB 175 S464 1999

\* Williams, Esten Kenneth. *Williams & Rhodes' Canadian Law of Landlord and Tenant*, 6th ed., looseleaf (Toronto: Carswell, 1988). KB 170 W722R 1988

Taxation of Real Estate:

Atlas, Michael & Ian V. MacInnis. *Canadian Taxation of Real Estate*, 4th ed. (Toronto: CCH, 2004). KB 84.P8 A881 2004

Library & Information Services' Online Resources: The Textbooks/Treatises Catalogue <<http://www.nsbs.org/librarydatabases.php?page=CATQBE>> lists all texts available at the Barristers' Library in Halifax, as well as at county barristers' libraries. To find other texts on real property law, search the catalogue using subject headings such as "boundaries", "condominiums", "conveyancing", "crown land", "easements", "estates", "expropriation",

	<p>“land titles”, “leases”, “mortgages”, “real estate”, “real estate business”, “real property”, “sale of land”, and “vendors and purchasers”.</p>
<p>Forms &amp; Precedents</p>	<p>Texts marked with a star ( * ) are available in the reserve collection, and in most cases, the circulating collection.</p> <p>MacLean, Virginia, Tim Renick &amp; Gregory K.G. Clark. <i>Canadian Forms &amp; Precedents: Land Development</i>, looseleaf (Markham, Ont.: 2007). Aisle 4 / Reference Collection</p> <p>Fraser, James D.M., Lawrence H. Iron &amp; Miller Thomson. <i>Canadian Forms and Precedents: Commercial Tenancies</i>, looseleaf (Markham, Ont.: LexisNexis Butterworths, 2004). KB 175 F841 2004 + CD-ROM</p> <p>* O'Brien, A.H. <i>O'Brien's Encyclopedia of Forms</i>, 11th ed., looseleaf (Aurora, Ont.: Canada Law Book, 1987). KB 218 O133 1987  <i>See Division III: Conveyancing and Mortgages; Division IV: Leases</i></p>
<p>CLE &amp; CPD</p>	<p>Canadian Bar Association, Nova Scotia Branch. <i>The Agony and the Equity of . . . Mortgages Conference</i> (Halifax, N.S.: CBANS, 2004). KB 176 C212 2004 / Oversize Collection</p> <p>Nova Scotia Barristers' Society, Continuing Professional Development. <i>Condominium Law and Insurance 101</i> (Halifax, N.S.: The Society, 2009). KB 178 .C7 N935 2009 / Oversize Collection</p> <p>Nova Scotia Barristers' Society, Continuing Professional Development. <i>LRP for Litigators: LRA 101 – The Basics</i> (Halifax, N.S.: The Society, 2009). KB 170 N935L 2009 / Oversize Collection / available online via <a href="#">Secondary Sources</a></p> <p>Nova Scotia Barristers' Society, Continuing Professional Development. <i>Lunch &amp; Law: Practical Tips for Foreclosure Proceedings</i> (Halifax, N.S.: The Society, 2008). KB 176 N935 2008 / Oversize Collection / available online via <a href="#">Secondary Sources</a></p> <p>Nova Scotia Barristers' Society, Continuing Professional Development &amp; Real Estate Lawyers Association of Nova Scotia. <i>2004 Real Property Conference: Keeping Your Practice Current in Changing Times</i> (Halifax, N.S.: The Society, 2004). KB 170 N935 2004 / Oversize Collection / available online via <a href="#">Secondary Sources</a></p> <p>Nova Scotia Barristers' Society, Continuing Professional Development &amp; Real Estate Lawyers Association of Nova Scotia. <i>2005 Real Property Conference for Lawyers and Legal Assistants: From Challenges to Opportunities . . . Navigating the Real Property Paths</i> (Halifax, N.S.: The Society, 2005). KB 170 N935 2005 / Oversize Collection / available online via <a href="#">Secondary Sources</a></p> <p>Nova Scotia Barristers' Society, Continuing Professional Development &amp; Real Estate Lawyers Association of Nova Scotia. <i>2006 Real Property Conference Crown Interests and Due Diligence under LRA: "The Sophomore Year"</i> (Halifax, N.S.: The Society, 2006). KB 170 N935 2006 / Oversize Collection / available online via <a href="#">Secondary Sources</a></p> <p>Nova Scotia Barristers' Society, Continuing Professional Development &amp; Real Estate Lawyers Association of Nova Scotia. <i>2007 RELANS Conference: Year III: The Junior Year: Best</i></p>

	<p><i>Practices: Topics, Tools &amp; Methods</i> (Halifax, N.S.: The Society, 2007). KB 170 N935 2007 / Oversize Collection / available online via <u>Secondary Sources</u></p> <p>Nova Scotia Barristers' Society, Continuing Professional Development &amp; Real Estate Lawyers Association of Nova Scotia. <i>2008 RELANS Conference: The New Face of Property in Nova Scotia</i> (Halifax, N.S.: The Society, 2008). KB 170 N935 2008 / Oversize Collection / available online via <u>Secondary Sources</u></p> <p><u>Library &amp; Information Services' Online Resources: Secondary Sources</u>  <a href="http://www.nsbs.org/librarydatabases.php?page=2dSourcesBQBE">http://www.nsbs.org/librarydatabases.php?page=2dSourcesBQBE</a> provides access to a wide range of secondary sources, including papers presented at Continuing Professional Development and Continuing Legal Education Society of Nova Scotia conferences. To find other secondary sources on the topic of real property law, use the advanced search screen with subject headings such as "adverse possession", "agreements of purchase and sale", "conveyancing", "deeds", "deed transfer tax", "easements", "expropriation", "foreclosure", "land subdivision", "Land Registration Act", "land titles", "land use", "mortgages", "real property", "right of way", "sale of land", "surveying", "title searches", "title insurance", and "vendors and purchasers".</p>
NSBS Practice Materials on CD-ROM	See the section entitled, "Real Estate". This resource is available to all members of the Nova Scotia Barristers' Society via the public access computers at barristers' libraries throughout the province.
Websites	<p>Practice Standards for Real Property Transactions in Nova Scotia  <a href="http://www.lians.ca/Standards/preface.html">www.lians.ca/Standards/preface.html</a>  Prepared by the Professional Standards Committee of the Nova Scotia Barristers' Society, these standards are essential to real property lawyers in the exercise of their professional judgment and reflect the changes to real estate practice brought about by the implementation of the <i>Land Registration Act</i>.</p> <p>Nova Scotia Barristers' Society <i>Land Registration Act</i> Education Resources  <a href="http://www.nsbs.org/LRAresources.php">http://www.nsbs.org/LRAresources.php</a>  Use this site to access materials, resources, and articles related to the <i>Land Registration Act</i>.</p> <p>Land Registration  <a href="http://www.gov.ns.ca/snsmr/property/">http://www.gov.ns.ca/snsmr/property/</a>  The Government of Nova Scotia's Land Registration site contains useful links about the land registration system in this province, including the <i>Land Registration Act</i> and its regulations, brochures about different aspects of the land registration system, standard forms and form guidelines, Property Online tutorials, and resource material and procedures for lawyers and legal staff, as well as other user groups, such as title searchers, surveyors, banks, and lenders.</p> <p>Association of Nova Scotia Land Surveyors  <a href="http://www.anls.ca/">http://www.anls.ca/</a>  The Association of Nova Scotia Land Surveyors provides a listing of websites about land surveying, both generally and as it relates to Nova Scotia, as well as a listing of land surveyors in the province. Other items of interest on this site are articles about surveying, information about when and how to obtain a survey, and information about the professional services provided by a Nova Scotia land surveyor.</p>

**Canadian Bar Association - National Real Property Section**

<<http://www.cba.org/CBA/sections%5Frealprop/main/>>

This is the website for the National Real Property Section of the Canadian Bar Association. This site provides the contact information for Section officers and Branch Section chairpersons, the by-laws for the Section, recent reports to council, information about continuing legal education programs, and access to the Section's newsletter.

**Halifax Regional Municipality: Planning Services**

<<http://www.halifax.ca/planning/>>

Unofficial copies of Land Use By-Laws are available through Halifax Regional Municipality's website. The site also provides mapped zoning information online through a service called ExploreHRM, which enables users to find zoning information based on address, street, or community.

**Nova Scotia Association of Realtors**

<<http://www.nsar-mls.ca>>

The Nova Scotia Association of Realtors (NSAR) represents brokers and salespeople in the province of Nova Scotia. In addition to providing educational programs and publications to its members, the NSAR also provides all real estate licensing courses in the province.

**Nova Scotia Real Estate Commission**

<<http://www.nsrec.ns.ca/>>

The Nova Scotia Real Estate Commission (NSREC) is an independent, non-government agency that regulates the real estate industry in the province of Nova Scotia. The NSREC establishes standards to protect consumers and promote greater professionalism and competency in the industry. The NSREC's website provides information about the licensing process, disciplinary procedures, complaints and how to make a complaint against a real estate licensee, governing legislation, and publications of interest to the public and industry members.

**Library & Information Services' Online Resources: Legal Links**

<[http://www.nsbs.org/library\\_databases.php?page=LLQBE](http://www.nsbs.org/library_databases.php?page=LLQBE)> provides access to legal information on the World Wide Web. To find other websites on the topic of real property law, search the Legal Links database using subject headings such as "land use", "real estate business", and "real property".