Government of Alberta

NON-MANAGEMENT JOB DESCRIPTION POINT RATING EVALUATION PLAN

Working Title	Name
Junior Land Titles Analyst – Internship Growth Series	

Position Number	Reports to Position No., Class & Level	Division, Branch/Unit	Ministry
		Consumer, Registry and Strategic Services/Land Titles & Surveys South	Service Alberta

Present Classification	Requested Classification
Legal Administration 2	

Dept. ID	Program Code	Project Code (if applicable)

PURPOSE: Give a brief summary of the job, covering the main responsibilities; the framework within which the job has to operate and the main contribution to the organization (see Section 2.3).

Land Titles Overview

The land registration system used in Alberta is based on the Torrens System of land registration and operates under the legislative authority of the Land Titles Act. Under this system, the Government has custody of all original titles, documents and plans and has the legal responsibility for the validity and security of all registered land title information. The Government guarantees the accuracy of the title through the internal application and enforcement of laws derived from a multitude of statutes and court decisions.

Land Titles staff work in a quasi-judicial environment, where they examine legal documents and plans to ensure they comply with all current legislation, case law as well as policies and procedures before accepting them for legally binding registration. Because the Government guarantees the accuracy of title it is financially liable for any damages that may occur as a result of an incorrect registration, rejection or error made.

Land Titles Analyst Growth Series

The Land Titles Analyst position is a Growth Series position. It consists of three levels;

1. Junior Land Titles Analyst (Intern)
2. Intermediate Land Titles Analyst
3. Senior Land Titles Analyst.

Progression through the growth series is accomplished through the successful completion of;

- Level 1 to Level 2: classroom training, on-the-job registration experience and a minimum score of 80% on the Intermediate Paralegal course. Typical time period 2 years.

Level 2 to level 3: classroom training, on-the-job registration experience of more difficult registrations and a minimum score of 80% on the Intermediate Paralegal course. Typical time period 3 years.

NOTE: The above timelines are general guidelines only and are not guaranteed. The intermediate and advanced paralegal courses are provided by Land Titles in-house and are offered when time and available

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training resources permit.

Junior Land Titles Analyst

The Junior Land Titles Analyst performs a quasi-judicial function in the review of documents presented for registration. Review of the documentation often requires research and analysis by this position in order to properly determine if a document can be registered. Accurate determination of whether all required legal documentation is provided and correct is essential to this role. Throughout the registration process the Analyst must communicate and consult with a variety of stakeholders regarding document registration or rejection. If a registration is rejected this position must provide rational for the rejection in a detailed and concise manner. The Land Titles Analyst is also responsible for the integrity of the information they entered onto the title in ALTA.

This position is expected to conduct document examinations primarily independently or refer to a Senior Land Titles Analyst (Mentor) or Team Lead for advice on precedent setting, highly complex or unusual scenarios that may require case law interpretation and/or discretionary judgment. Analysts are fully accountable for accepting documents for registration and for all changes made to a title as a result of registration done completley independantly.

RESPONSIBILITIES AND ACTIVITIES: The purpose of the job can be broken down in different responsibilities and end results. Each end result shows what the job is accountable for, within what framework and what the added value is. Normally a job has 4-8 core end results. For each end result, approximately 3 major activities should be described (see **Sections 2.1** and **2.2**).

1) **Analyze the validity and registerability of all documents submitted for registration.**
The Senior Analyst must look at all parameters, fully comprehend client expectations and make sound decisions based on an in-depth and comprehensive knowledge of the extensive legislation, regulative and case law framework governing the Land Titles Office.

   a) **Activities:**

      i) Performs technical and legal analysis of all document types submitted to Land Titles for registration.

      ii) Provides discretionary decisions regarding a wide variety of complex documents, over 100 non-standardized documents are registerable at Land Titles.

      iii) Analyses documents to ensure compliance with existing legislation, case law, office policies and procedures and provide independent decisions that may set a precedent.

      iv) Accepts final responsibility for document approval by registering without any additional review.

      v) Rejects documents that do not comply with requirements and notify registrant of the reasons for rejection in a detailed and concise form.

      vi) Identifies any characteristics in the document being examined that could cause difficulty or that could present attempts of fraud to the system. The incumbent must demonstrate and exercise a high degree of independent decision making.

      vii) Demonstrates complete knowledge of the Power of Attorney Act in order to ensure compliance to the Law of Agency regarding documents.

      viii) Exercises discretion when considering potential assurance fund liabilities, organizational uniformity, and additional factors, which may determine if a document is in substantial compliance with policy, procedures, statutes and regulations.

      ix) Coaches, when required, other Analysts in all areas of document research and processing. This would also include discretionary decisions and interpretation of law; these abilities are only evident at this Senior Analyst level.

2) **Perform all responsibilities associated with the registration function for documents.**
Utilizing their knowledge of document registration the incumbent ensures the registration process is completed in an accurate manner.

   a) **Activities**:

      i) Expertly uses ALTA, the automated Land Titles Registration system, to facilitate the registration process.

      ii) Manipulates existing applications to accommodate changing business needs.

      iii) Accurately enters all necessary data obtained from the documents.

      iv) Complies with all relevant instructions from the registrant including: priority requirements between documents, confirming permitted existing encumbrances and other

special instructions as specified.

v) Investigates any competing registrations to ensure priority of registrations is maintained, so that the assurance fund is not open to liability.

3) Stakeholder Communications

Acts as a consultant/representative of the Land Titles office for clients, stakeholders, legal community, financial institutions and the general public.

a) Activities:

i) Provides consultation and acts as a resource to the legal community, providing expert non-legal advice in the drafting of Court Orders, research and evaluation of documentation for complex cross jurisdictional transactions and unusual client scenarios in order to facilitate registration.

ii) Acts as an expert witnesses in criminal cases, which may include fraud.

iii) Discusses and consults with clients on reasons why a document has been rejected.

iv) Participates in telephone rotation where the Senior Analyst will provide consultation services to, but not limited to, the general public, lawyers, municipalities, federal and provincial departments, land developers regarding document registerability.

v) Acts as a resource to the legal community when Lawyers are attempting to process unusual or complex documentation and require expertise for input to achieve desired outcome.

vi) Educates, advises and informs various stakeholders, both sophisticated and unsophisticated, supporting decisions, interpreting applicability of case law, statutes and legislation regarding registration or rejection.

vii) At this level positions may also work the front counter providing expert non-legal advice to the general public and other clients that require assistance regarding registration process and other related matters.

4) Research and Utilization of Resources

a) Activities:

i) Completes historical reviews of an original document chain that has resulted in the creation of a certificate of title. Researches historical title chain when a document or a title's accuracy is challenged. Draw on their expert knowledge of the evolution of titles from book, to loose leaf, to electronic format. This allows determination of whether a legal interest should be created (endorsement on title) or released (removed from title).

ii) Determines if consent from the registered owner(s) is required for any amendments. The Senior Analyst can make some corrections and amendments; other types of amendments require consent from the registered owner(s) or other parties.

iii) For mineral dispositions, conducts historical search to determine registerability of documents. Historical issues regarding the accuracy of titles to mines and mineral

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interests have resulted in the Land Titles Act requiring that, before any dispositions of these interests are registered, the Senior Analyst must be satisfied that the person purporting to dispose of the interest is the correct registered owner.

iv) Reviews and examines all previously registered dispositions of these mines and mineral interests, taking into account all legislation and policy which may have been in place at the time those dispositions were made and certify that the chain of title is correct.

v) Confirms the identity of parties to documents, compare signatures of previously registered documents, verify commissioners through Justice records and review activity on certificates of title.

SCOPE: List specific information that illustrates what internal or external areas the job impacts, and the diversity, complexity, and creativity of the job (see **Section 2.4**).

Registrations have an immediate and direct impact on the Alberta economy and ownership of land throughout the province. At this level the Land Titles Analyst is required to make independent registration decisions seeking out assistance from a Senior Land Titles Analyst or Team Lead for advice on precedent setting, highly complex or unusual scenarios that may require case law interpretation and/or discretionary judgment for which they are solely responsible and accountable. Errors in any registration/decision may result in consequences to both the government and/or stakeholders. The GOA is liable financially for errors made by Analysts; however the impact to Albertans could mean the loss of title.

Analysts at this level are exposed to an expansive amount of legislation and regulations. There are over 100 document types that can be registered at Land Titles. The majority of regulated forms are not standardized requiring Analysts to evaluate each individualized stakeholder version of document to ascertain that is not only meets the legal requirements, but does not contain additional clauses, covenants, and conditions that will either invalidate the document or open the assurance fund to potential liabilities.

This is a unique position as decisions made by this incumbent regarding document registerability are based on much more than merely finding and citing the correct section in a statute. Substantial interpretation, research and analysis, tempered by applying office policies and procedures, are necessary to make sound decisions.

This position has considerable contact with clients/stakeholders. It is vital for the incumbent to exercise the appropriate professional communication skills to clearly and accurately convey interpretations of legislation, case law, current office policies and procedures and rejection reasons to a large and diversified internal and external clientele. Advice given and decisions made have an effect on time and cost for the registrant.

KNOWLEDGE, SKILLS & ABILITIES: Provide a list of the most important knowledge factors, skills and abilities including knowledge about practical procedures, specialized techniques, etc.; analytical and conceptual skills and abilities; and skills needed for direct interaction with others not only diplomas and degrees. Specific training if it is an occupational certification/registration required for the job.

Knowledge

- Thorough knowledge of the Torrens Land Registration System as it applies to land conveyance practices in Alberta.
- Thorough knowledge of and ability to apply real property law concepts to analyze the legal documents registered at Land Titles.
- In-depth knowledge of current electronic title, loose leaf and book titles.
- Thorough knowledge of Land Title legal documents, their requirements, and boundaries.
- Knowledge of numerous statutes, case law, operating policies and procedures relating to the registerability of documents.
- Comprehensive knowledge of federal, provincial and private legislation.
- Clear understanding of the effect of each specific document registration on title.
- Detailed understanding of ALTA on which the Land Titles automated registration and search system operates. ALTA is a very complex mainframe application that requires an in-depth understanding of the operating procedures.
- Detailed understanding of CORES and SPIN2.

Skills and Abilities

- Critical reasoning abilities comprising five areas: deduction, assumption, inferences, interpretation and evaluation of arguments.
- Well-developed interpretation skills.
- Very well developed analytical and research skills.
- Strong communication skills.
- Decision making ability.
- Ability to work independently while paying strict attention to detail.
- Ability to work within parameters of legislation and policy and to extrapolate principles from these for application in new and unusual situations.

To effectively function at this position, the minimum requirements are:

- One year post-secondary certificate (preferred) in a related field plus one year related experience or equivalent as described below is required. Preference will be given to candidates who have the following:
    - Experience working in a legal environment
    - Experience working with land titles
    - Experience reviewing documents to ensure they comply with applicable policies, and/or legislation and/or acts, and/or regulations.

- Equivalencies will be considered based on the following:
    - A related two year diploma and no experience or; • No post-secondary education, but a minimum of two years' related experience.
    - A post-secondary certificate in related field or combined with 1 year of directly related experience or equivalent.

SUPERVISION EXERCISED: List position numbers, class titles, and working titles of positions directly supervised.

This position does not have supervisory responsibilities.

CHANGES SINCE LAST CLASSIFICATION REVIEW: This section is not required to be completed if the job description is being written for the conversion to PREP. It should be completed for any subsequent classification requests under PREP.