

Building Matters

BUYING A NEW PROPERTY

What you should know before buying a property?

Sherry Sparks

You're ready to buy that parcel of land, thinking of building or of buying that dream home? Before you sign those papers, there are tools that can help you in determining whether the property you're buying has any reported building and safety violations.

BACKGROUND INFO: LAND GAZETTE AND SERVICE NEW BRUNSWICK

In February of 2005, the Land Gazette was launched. It is an important tool that consumers can access when thinking of buying property.

For example, if a contractor building a home doesn't comply with the requirements set out in the *Community Planning Act*, an order will first be issued to the contractor, followed by a posting of the notice.

Some local planning commissions and municipalities prepare the notices, place them in the Land Gazette and maintain the information. In other words, they are the notice providers and are therefore responsible for the content and the accuracy of the notices.

The Land Gazette is an application incorporated within PLANET, the software that supports Service New Brunswick's Real Property Registry.

RECENT DECISION BY CITY COUNCIL

The Legal and Building Inspection Departments of the City of Moncton have examined ways to provide notice to property owners and the public generally, relating to various orders. On December 1st, 2008 City Council approved placing the Building Inspection orders in the Land Gazette so the public and lawyers could access the information more easily.

WHAT DOES THIS MEAN FOR THE PUBLIC?

Posting Notices in the Land Gazette enables a prospective purchaser to become aware of certain

infractions that are outstanding on a given property. If a property is flagged in the Land Gazette, a Building inspection contact number is given for the person to get additional information.

HOW CAN THEY ACCESS IT THROUGH SERVICE NB?

Any Planet subscriber can have online access (i.e. law firms, realtors, surveyors, etc). Members of the public can also go to the Registry Office (Service New Brunswick Offices on 3rd floor, 633 Main Street) where they can access property information.

WHAT IS THE COST ASSOCIATED?

If you're a Planet subscriber, there are no costs. There is however a nominal search fee (\$15 per half day) at the Registry Office.

WHAT INFORMATION DOES IT PROVIDE THEM WITH?

If you see that a property is flagged in the Gazette, you simply click on the Land Gazette box for further information, and details will be given as to what type of Notice is registered for that specific property and the name of the organization that you should contact to get additional info.

WHAT IS THE PROCESS TO REMOVE THE ORDER ONCE IT IS ADDRESSED?

The person designated by the City to post notices will be able to remove them once the property is in compliance with the applicable by-law(s).

For further information on this topic, visit the Housing and Building section of our website (moncton.ca), e-mail questions to info@moncton.ca, or call 856-4375.

This renewed process has been put in place to ensure better access to essential information when it comes to buying a property. By being well informed at an early stage, you'll be better equipped to make the right decisions and you'll be starting your project on the right foot.

Sherry Sparks is the director of Building Inspection for the City of Moncton. She holds a diploma in Civil Engineering Technology and a Bachelor of Science in Civil Engineering. Sherry has been working in the field for 27 years, is currently President of the New Brunswick Building Officials Association and became a fellow of Engineers Canada in 2008. For more information on building guidelines and permits, visit the Housing and Building section of our website (moncton.ca), e-mail questions to info@moncton.ca, or call 856-4375.