

Application For Replacement of Duplicate Certificate of Title Where the Title is either lost, destroyed, damaged or defaced.

An application for replacement of a Certificate of Title is usually made in the following instances:

- i) Where the Title has been lost or destroyed
- ii) Where the Title has been stolen
- iii) Where the Title has been damaged or defaced.

This manual will seek to answer some of the most frequently asked questions relating to an application for replacement of a Certificate of Title and to assist individuals in making such an application.

I am unable to locate my Title. Am I the only person entitled to apply for a replacement?

No. The registered owner of the Certificate of Title may apply for a replacement in his personal capacity. However, in the event that the registered owner dies and his personal representatives are unable to locate the Title then after having obtained a Grant of Representation from the Court in Jamaica the personal representative (s) may apply for a replacement.

What if a company is registered as the owner on Title?

The application is to be made by an authorised officer of the company.

How do I apply for the replacement of the Certificate of Title in circumstances where the Title is lost and what information do I need to provide?

The application is made by way of a Statutory Declaration. One may be made available to you by visiting our website at www.nla.jm.gov. The following information must be stated in the declaration:

- The market value of the property must be stated clearly in words.
- State the approximate date when you realized that you could not locate the Title and say where the Title was kept or last seen.

- Give the name of the person(s) who had access to the Title. If the Title was in the possession of someone other than the registered owner submit a similar statutory declaration from that individual.
- Say whether any searches and/or enquiries were carried out in an effort to locate the Title and the outcome.
- Where the Title is being held as security for a loan, details of the loan and institution or individual with whom the Title is being held must be provided. If it is not being so held this too must be stated.
- An undertaking must be given to the Registrar that you will deliver the Title if it ever comes into your possession, custody or control.
- A statement requesting the Registrar to cancel the Title and issue a new one must be included.
- The application must always be dated.

I am applying for a replacement Title but I would also like to register another instrument such as a transfer what am I required to do?

If the another application or dealing is being made along with the application for a replacement of the Certificate of Title then you must ask that the Registrar **dispense** with production of the duplicate certificate of Title and register such application or dealings. An additional fee of one hundred dollars is to be paid when the documents are being lodged.

Who can witness this Statutory Declaration?

A declaration can only be witnessed by a Justice of the Peace or a Notary Public. If the declaration is witnessed by a Notary Public residing in a foreign state or country then you must also submit a Certificate which states that the person was acting as a Notary Public at the time of witnessing the declaration.

If my Title is stolen do I need any additional evidence?

Yes. You must attach an original Police Report.

What if my Title was destroyed in a fire?

You must attach a report from the Fire Department.

What do I do if my Title is damaged and I need a replacement?

In addition to the statutory declaration to be submitted you must also submit the damaged Title which is in your possession.

I have changed my name and I am about to make an application for replacement of the Title what am I required to do?

You need to submit a change of name form [NLA-CN1] (this too is available on our website). If the change of name was brought about by marriage you must submit an application to note marriage [NLA-NM1]. (See our website for a copy of this form).

What if I own the property jointly with another and that person has died?

If it is that you have not yet noted the death of that person on the Title then you must do so at the time of making the application.

What am I required to do if I found the Title after I made an application for its replacement but it has not yet been approved?

Inform the Registrar of Titles of the discovery and ask that the application be cancelled.

What if the new Title has already been issued and I subsequently located the previous Title?

Deliver the previous Title to the Registrar for cancellation.

How much will it cost to make this application for a replacement of the Certificate of Title?

The standard fee is One Hundred Dollars (\$100). However if additional applications are being made simultaneously the fee is Two Hundred Dollars.

After I submit my application what else am I required to do?

If the application has been approved a Notice will be prepared for you to advertise in the newspaper as directed. (See sample below).

Miscellaneous No. 1448809

UNDER THE REGISTRATION OF TITLES LAW

OFFICE OF TITLES

P.O. BOX 494

KINGSTON

January 25, 2007

WHEREAS I have been satisfied by Statutory Declaration that the duplicate Certificate of Title for ALL THAT parcel of land part of SILVER SANDS part of DUNCAN BAY in the parish of SAINT MARY being the Lot Numbered Two Hundred and Thirty- Five on the plan of part of Duncan Bay aforesaid deposited in the Office of Titles on the 12th day of June, 1972 of the shape and dimensions and butting as appears by the said plan and being the land registered at Volume 106 Folio 2 of the Register Book of Titles in the name of JOHN BROWN – HAS BEEN LOST:-

I HEREBY GIVE NOTICE that I intend at or after the expiration of fourteen days after the last appearance of this advertisement to cancel the said Certificate of Title and to register a new Certificate in duplicate in place thereof.

J. Johns
Acting Senior Deputy Registrar of Titles

Insert once each week in the Daily Gleaner Newspaper for two successive weeks

MARY WHITE & ASSOCIATES LIMITED
SUITE 110,GORDON TOWN COMMERCIAL CENTRE
63-27 CONSTANT SPRING ROAD KINGSTON 10 St. Andrew Jamaica