

## How to Apply for a Release of Section 219 Covenant

### What is a Section 219 Covenant?

A Section 219 Covenant is an agreement between a local government or Minister of the Crown and the owner of land, in which the owner's rights to use, build on, or subdivide the land are limited for some reason(s).

For example, a covenant may be placed on the land title to protect a useable area for sewerage disposal, or to ensure that the owner or potential owner is aware of a possible health impact (e.g. drinking water quality). Interior Health does not place a covenant on the land title.

There may be times where conditions change and the property owner would like to modify, remove, or replace the existing covenant. This document outlines what is required to release a covenant that has been placed on the property in which the transferee is Interior Health Authority (IH) or the Ministry of Health.

### What needs to be included with a Covenant Release Request?

- A completed [Application for Release of Covenant](#).
- A copy of the State of Title Certificate\* (confirm covenant registered on title, legal description and registration number).
- A copy of 219 covenant document\* (and reference plan if applicable).
- A completed Land Title Act Form C release (Section 233). **Note:** This needs to be completed by a notary or lawyer and can be completed after our review.
- Fees - \$262.50 for the review of the Application for Release of Covenant; \$40 notary fee is added if the transferor is IH (please note fees are non-refundable).
- Supporting documentation – [see the next section](#).

\*Contact the [BC Land Title & Survey \(https://ltsa.ca\)](https://ltsa.ca) directly for this information.

**Note:** A copy of the proposed covenant will be required if the original covenant is being replaced.

### Supporting Documentation

Your supporting evidence should show why the covenant is no longer necessary, or why it can be replaced with a new covenant.

We will review the submitted information to ensure public health is protected (i.e. ensuring sustainable sewerage disposal and not creating a health hazard) with the requested covenant release or modification.

Supporting evidence may include:

- A [Record of Sewerage System](#) and/or a [Sewerage System Letter of Certification](#).
- A report from an [Authorized Person](#).
- A copy of the utility bill, or a written confirmation of a community sewer or drinking water connection to the property.

## What if I'm not sure about the process, what to include in the application, or the supporting documentation I might need?

Contact an Environmental Health Officer toll free at 1-855-744-6328 (option 4) or email [EA@interiorhealth.ca](mailto:EA@interiorhealth.ca). They will assist you in sorting out what information you need to provide and answer any questions you may have.

### Important Things to Note:

- **The application form must be completed in full before you request a review** by an Environmental Health Officer. If you have any questions prior to submitting the form and supporting documentation, contact an Environmental Health Officer toll free at 1-855-744-6328 (option 4) or email [EA@interiorhealth.ca](mailto:EA@interiorhealth.ca).
- Tax Assessment Roll # - this will help us to locate information in our database and allow us to file your request for future retrieval. (Example – 20-789-00001.001, available from your Tax Assessment form or the BC Assessment office).
- Named Transferee – we are only able to release a covenant in which the transferee is either the Ministry of Health or IH. If it is another agency, you will need to make application to that agency.
- Lot Information – legal description as it is shown on the Certificate of Title.
- Owner – current owner of the property.
- Legal Counsel/Agent and Sewage System Consultant (Authorized Person) – these areas only need to be filled in if you have engaged the services of either Legal Counsel or an Agent to act on your behalf and/or a Sewerage System Consultant (Authorized Person) to provide further information or supporting documentation.
- Form C is signed by a representative of the Transferee. If it is in agreement with IH, the form is only processed at the end of each month. Only one signed / notarized copy will be provided to the Legal Agent. Additional copies can be notarized by an applicant's legal agent.

## How do I submit my completed application?

**When you have all of the documentation completed**, email the information to [EA@interiorhealth.ca](mailto:EA@interiorhealth.ca) or take it to your local Health Unit who can forward the information to the correct office. If you submit by email you will be contacted to arrange for payment. Payment can be made by:

- Debit
- Visa/MasterCard
- Cheque