



**REAL ESTATE TRANSACTION**  
**DOCUMENTS SIGNED UNDER POWER OF AUTHORITY**

*(For use where lawyer has not prepared the Power of Attorney, but is electronically signing documents under the authority of the power of attorney)*

File: Re:

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**Date Completed**

- Have you reviewed the original or notarial or certified copy of the Power of Attorney document to ensure that it meets formal requirements?
  
- Are there any restrictions in the Power of Attorney on the powers granted?  
  
If so, do they prevent the donor from using the Power of Attorney in the manner proposed?
  
- Have you confirmed with the donee that:
  - the Power of Attorney is still in full force and effect and whether the donor is still living
  
  - the donor (principal) had the capacity to give the Power of Attorney when giving it and was at least 18 years of age when the Power of Attorney was executed
  
  - the donee (attorney) is the lawful party named in the Power of Attorney
  
  - the donee is acting within the scope of the authority granted under the Power of Attorney, and
  
  - the Power of Attorney was lawfully given and has not been revoked?
  
- Have you asked why the Power of Attorney is being used to complete the transaction?

Indicate the reason(s):

**Date Completed**

- Are there any suspicious circumstances that would require you to make further inquiries?

If so, indicate below:

If applicable, list the particulars of inquiries made and the results thereof.

- Have you notified the title insurer that documents are being signed under Power of Attorney?

If so, has the title insurer consented to its use?

- Have you notified the lender or its solicitor that a Power of Attorney is being used?

If so, has the lender consented to its use?

- If you are acting for the lender, have you reviewed and complied with the lender's instructions?

- Have you reviewed with the donee the contents of the documents to be signed under the authority of a Power of Attorney including all statements in the documents, and have you obtained the donee's written approval of the contents and his or her consent that you electronically sign and register the documents?

- Have you established in a diligent manner that the donee is the person he or she claims to be?

- Have you also complied with the provisions of By-Law 7.1 regarding identifying and verifying the identity of the client?