



Farm Land  
Security Board

**Home Quarter Protection Class Exclusion Order 2014 for  
Non-Agricultural Mortgages**

WHEREAS subsection 44(12) of *The Saskatchewan Farm Security Act*, R.S.S. 1988, c. S-17.1, provides as follows:

"(12) Subject to subsection (13), the board may make orders excluding any mortgage or class of mortgages from the operation of this section where, in the opinion of the board, it is in the best interests of the farmer."

And whereas Home Quarter Protection exists to protect farmers;

And whereas the Farm Land Security Board is of the opinion that a class of non-agricultural mortgages exist where the mortgagors are rural residents which do not farm on a commercial basis or own commercially significant amounts of farm land;

And whereas the interests of this class of non-agricultural mortgagor are unproductively served by the Protection;

And whereas the Board believes it is in the best interests of farmers that an Order be made to exclude a class of non-agricultural mortgage from Home Quarter Protection;

**THE FARM LAND SECURITY BOARD THEREFORE ORDERS this 1<sup>st</sup> day of January 2014, pursuant to subsection 44(12) of *The Saskatchewan Farm Security Act*, that the class of mortgages known as "non-agricultural mortgages" be excluded from the operation of Section 44 of the Act. A "non-agricultural mortgage" is any mortgage of farmland where, at the time the mortgage is given the mortgagor signs a statutory declaration that:**

**the mortgagor, and the mortgagor's spouse have not received in the immediately preceding three years an average annual gross income of more than \$20,000 from farming or as the lessor of farmland.**

**This order applies only with respect to mortgages dated on or after the 1<sup>st</sup> day of January 2014, and shall not be considered in interpreting any mortgage executed prior to that date.**

A handwritten signature in blue ink, reading "R. M. Wellman", written over a horizontal line.

Witness

A handwritten signature in black ink, reading "Debra Anderson", written over a horizontal line. To the right of the signature is a red circular stamp with the text "FARM LAND SECURITY BOARD" around the perimeter and "Saskatchewan" in the center.

Board Chairperson

**Home Quarter Protection Non-Agricultural Mortgages  
Class Exclusion Order  
STATUTORY DECLARATION**

I/We, homestead mortgagor(s)<sup>1</sup> and non-mortgaging spouse(s)<sup>2</sup> identified below, of \_\_\_\_\_  
(Town or city)

do solemnly declare to have personal knowledge of the statements made herein concerning the following mortgage given to \_\_\_\_\_:  
(Name of financial institution/mortgagee)

<sup>1</sup> Name(s) of Homestead mortgagor(s): \_\_\_\_\_

<sup>2</sup> Name(s) of non-mortgaging spouse(s): \_\_\_\_\_

Mortgage amount: \_\_\_\_\_

Mortgage date (dd-MMM-yyyy): \_\_\_\_\_

Legal land description(s) of homestead(s) subject to mortgage: \_\_\_\_\_

Mortgage Amended amount, if applicable: \_\_\_\_\_

Mortgage Amendment date, if applicable: \_\_\_\_\_

I/We understand and agree that:

1. I/we have not received in the immediate preceding three years an average annual gross income of more than \$20,000.00 (twenty thousand dollars) from farming or as the lessor of farm land.
2. I/We make this solemn declaration for the purposes of establishing that the noted mortgage is a non-agriculture mortgage pursuant to the Home Quarter Protection Class Exclusion Order 2014 for Non-Agricultural Mortgages.
3. I/We understand that by signing this declaration the mortgage described herein will be excluded from Home Quarter Protection as enacted under Part III of *The Saskatchewan Farm Security Act*.

I/we make this solemn declaration conscientiously believing all the statements herein to be true, and knowing that it is of the same force and effect as if made under oath.

DECLARED BEFORE ME at the _____	)	
	)	(Homestead mortgagor or non-mortgaging spouse)
of _____, in the Province	)	
	)	
of Saskatchewan, this ____ day	)	(Homestead mortgagor or non-mortgaging spouse)
	)	
of _____, 2____.	)	(Homestead mortgagor or non-mortgaging spouse)
	)	
_____	)	(Homestead mortgagor or non-mortgaging spouse)
A Commissioner for Oaths for Saskatchewan.	)	
My appointment expires: _____		

**NOTE: It is an offence under the *Criminal Code of Canada* to make a statement by solemn declaration knowing that the statement is false.**