

April 17, 2018

Secretary, Standing Policy Committee on Finance

Dear His Worship the Mayor and Members of City Council:

**Re: 2017 Annual Report – Saskatoon Board of Revision
(File No. CK. 430-77)**

In accordance with the Board of Revision's Policy and Procedures, as Chair of the Board of Revision, I hereby submit the Board's 2017 Annual Report for City Council's information.

Background

Section 192 of *The Cities Act* provides for the establishment of a Board of Revision to deal with appeals arising from assessment procedures. The Board of Revision is set up as an independent administrative tribunal whose main function is to hear assessment appeals filed by any person or property owner.

Changes to legislation and decisions from the Court of Appeal have clearly established that the Board of Revision is the tribunal of record in the assessment appeal process. Persons wishing to appeal their assessments must present evidence before the Board of Revision to show that an error has been made. Appellants are precluded from presenting new evidence before the Saskatchewan Municipal Board, Assessment Appeals Committee, except in very minimal circumstances. Appeals before the Saskatchewan Municipal Board are based upon the record of the hearings before the Board of Revision.

Reassessments occur every four years and the year 2017 was the first year of reassessment based on property values for the Province of Saskatchewan as of January 1, 2015.

In 2009, the entire province of Saskatchewan moved to a results-based mass appraisal market system for most properties. Major changes for commercial, industrial and investment properties took place in the 2009 reassessment in that the Income Approach (Rental Income) to value was allowed. Hearings before the Board have become more complex.

An assessment appeal history for the years 2008-2017 is attached as Appendix D.

2017 Composition of the Board

The 2017 Board of Revision consisted of 11 members as follows:

Adrian Deschamps, Board Chair and Panel Chair

Asit Sarkar, Board Vice-Chair and Panel Chair

Marvin Dutton, Panel Chair

Lois Lamon, Alternate Panel Chair

June Bold

Colin Butler (resigned August 2017)

David Gabruch (deceased August 23, 2017)

Ling Ma (resigned July 2017)

Randy Pangborn

David J. Putz

Dennis Will (resigned April 2017)

The development of the skills, knowledge and expertise of a Board of Revision requires considerable time, and as such, the Board encourages City Council to continue to consider the extension of appointments of Board members beyond the six-year maximum term, particularly in reassessment years.

Appeals and Hearings

Mailing of assessment notices by the Assessor was on January 9, 2017. The deadline to appeal was March 10, 2017. The 180-day deadline for the BOR to complete its duties was July 8, 2017. In 2017, the Board received 618 Notices of Appeal and commenced hearings on April 5, 2017, considering and rendering decisions on 228 appeals. As a result of the volume of the appeals an extension to the Minister of Government Relations was requested and approved to October 31, 2017. Appendix A is a summary of results of appeals heard by the Board of Revision in 2017.

A summary of time put in by Board members for the years 2002 to 2017, is attached as Appendix B. The comparable year for the year 2017 would be 2013 (being the final year of a four-year cycle). It is important to note that the legislation now provides for the parties to an appeal to file an "agreement to adjust" with the Board of Revision Office; thereby, reducing the number of appeals that require a hearing.

Decisions of the Board of Revision can be further appealed to the Assessment Appeals Committee, Saskatchewan Municipal Board (SMB). There were 61 decisions of the Board of Revision appealed to the SMB in 2017. The hearings for these appeals are currently being scheduled and heard, and it is expected that it will be some time until those decisions are rendered.

Appendix C provides a summary of results for the Board of Revision and the Assessment Appeals Committee, Saskatchewan Municipal Board, for the years 1997-2017.

As in past years, the Board wishes to commend the Board of Revision staff for its skill and knowledge. The expertise of the staff greatly contributes to the success experienced by the Board of Revision.

Yours truly,

A handwritten signature in black ink, appearing to read 'Adrian Deschamps', written in a cursive style.

Adrian Deschamps, 2017 Chair
Board of Revision

Attachments

1. Appendix A – Board of Revision – 2017 Appeals Summary
2. Appendix B – Board of Revision – Summary of Time
3. Appendix C – Board of Revision & Saskatchewan Municipal Board – 1997-2017 Statistics
4. Appendix D – Board of Revision – 2008-2017 Assessment Appeal History

APPENDIX A

Board of Revision – 2017 Appeals Summary

	Total Appeals Received	Dismissed (Fee not Paid) (Insuff. Grounds) (Refusal to Hear)	Withdrawn	Assessment Adjusted* (agreement btwn appt & assr.)	Assessment Adjusted Hrg & Dec. by Board	Assessment Sustained Hrg & Dec. by Board	Appeals Pending
Residential:	233	21	72	50	29	61	0
(Sub-Class Condo)	22	3	7	1	2	9	0
(Sub-Class Res)	211	18	65	49	27	52	0
Commercial:	319	3	56	150	67	43	0
\$150 Fee	11	2	4	3	1	1	0
\$500 Fee	24	0	7	9	4	4	0
\$750 Fee	284	1	45	138	62	38	0
Multi-Res:	66	0	24	12	6	24	0
(Sub-Class MRES)							
\$150 Fee	0	0	0	0	0	0	0
\$500 Fee	8	0	4	0	0	4	0
\$750 Fee	58	0	20	12	7	20	0
*Totals	618	24	152	212	102	128	0

* An agreement to adjust the assessment is a document signed by the Assessor and the Appellant. It does not need to be ratified by the Board. The result is recorded as Adjusted in the City's CIS database.

APPENDIX B

**Board of Revision – Members' Summary of Time (Breakdown by Task)
Year 1 of the Reassessment Cycle**

	2005	2009	2013	2017
No. of Appeals Received	697	420	434	618
No. of Appeals Heard	252	91	186	228
No. of Board Members	10	11	11	10
Total Hearing Days	186	136.5	116	166.5
Total Deliberation Days	58	47.5	36	78
Total Preparation Days	58	49.5	33.5	78
Total Decision-Writing Days	101.5	84	97	108
Total Days for all Tasks	406	317.5	282.5	430.5

APPENDIX C

Board of Revision & Saskatchewan Municipal Board – 1997-2017 Statistics

Year	Total #	# Withdrawn by Appellant	# Dismissed (Insufficient Grounds and/or Fees Not Paid)	# Adjusted (*Joint Rec. & Hearing)	# Sustained	# Decisions Appealed to SMB	# Withdrawn at SMB	# Assessments Adjusted as Result of SMB Ruling
1997	754	220	33	255	246	39	9	5
1998	306	86	1	107	112	90	15	11
1999	150	87	2	32	29	23	1	9
2000	42	16	0	16	10	3	0	0
2001	833	277	42	288	226	176	16	33
2002	280	148	6	61	65	69	21	19
2003	228	48	3	120	57	57	8	17
2004	97	40	0	43	14	21	14	5
2005	699	224	26	288	160	145	6	87
2006	171	38	2	52	79	108	16	9
2007	245	56	62	79	48	103	31	30
2008	144	32	3	49	60	97	8	77
2009	420	179	13	198	30	74	6	9
2010	109	31	5	50	20	40	8	1
2011	116	25	5	67	19	41	12	0
2012	81	37	1	34	9	13	1	0
2013	434	104	22	178	129	92	5	15
2014	176**	32	5	80	53	106	4	26
2015	205**	108	6	25	45	39	Not Available	Not Available
2016	148	41	7	55	31	49	2	0
2017	618	152	24	314	128	62	2	1

*The Cities Act allows for an "Agreement to Adjust..." between the Assessor and the Appellant which no longer has to be ratified by the Board and the result is recorded as "Adjusted".

**Note: 14 appeals are pending Court of Queen's Bench applications and rulings

APPENDIX D

Board of Revision – 2010-2017 Assessment Appeal History

	<u>2017</u>	<u>2016*</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>	<u>2010</u>
Appeals Received - Residential	211	16	11	2	76	7	13	11
Appeals Received - Condo Units	22	7	23	6	56	1	4	4
Appeals Received - Commercial	319	123	168	168	284	47	76	56
Appeals Received - Multi-Res	66	2	3	0	18	26	23	38
Appeals Received - Total	618	148	205	176	434	81	116	109
Total Appeals Dismissed - as per Legislation	24	7	6	5	22	1	5	5
Total Appeals Withdrawn - No Action Taken	152	41	108	32	104	37	25	32
Total with Assessment Adjusted through Agreement between Assessor and Appellant	212	22	25	24	121	28	35	22
Total with Assessment Adjusted through Board Hearing	102	33	11	57	57	6	6	32
Total with Assessment Sustained through Board Hearing	128	31	45	53	129	9	9	19
Total Appeals Pending Hearing (Court of Queen's Bench or Supp)	0	14	5	5				

***2017 is the first year of the reassessment cycle. 2013 is the equivalent year of the previous cycle.**