

Your 2009 Assessment Notice

by Michael C. Lount, B.A.Sc., AACI

A new year has brought with it the new BC property assessments that will form the basis for your City taxes in 2009.



All commercial, industrial and business owners should have these notices scrutinized by a property tax specialist. Errors in these complex assessment matters can understandably occur. These errors are compounded by the fact that

the tax rates for any type of business property is many times higher than residential properties. If there appears to be any possibility of an error, we should file an immediate appeal on your behalf. The appeal needs to be filed by January 31, 2008 in writing with the legally required information included and delivered to the Property Assessment Review Panel c/o the applicable British Columbia Assessment Authority office.

Action Required?

You should have received your 2009 BC Assessment notice by the first week of January. Contact us now, or bookmark one of our convenient web addresses, for future information about your assessment notice from the British Columbia Assessment Authority. Appeal action may be required for your BC assessment. Do not get caught paying too much property tax: Remember — **if your BC assessment is too high — your property taxes will be too high!**

What is the Review Panel?

The Property Assessment Review Panel is a three-member lay panel appointed by the provincial government. It is supposed to be a neutral body with the power to review and change the assessed values.



Some panel members may have real estate backgrounds in valuation and assessments. Some of the Panel members attend a government training course. The British Columbia Assessment Authority participates in this training. Members of the public or independent property tax experts are not allowed to participate in these closed door sessions.

If you did not receive your 2009 Assessment Notice please read this:

If you are a business, commercial or industrial property owner/tenant, and have not yet received your 2008 Assessment Notice, you may contact M. C. Lount & Associates at 604-683-6191 for assistance. The notice is an important legal document and it is essential that you have a copy of your assessment in hand before the January 31, 2009 appeal deadline.

These notices should not be taken lightly. They should be carefully scrutinized as any error can be costly, especially for business properties, which pay taxes at a rate many times higher than residential properties. If there appears to be any possibility of an error, an appeal should be filed with the Property Assessment Review Panel by January 31, 2009.

If the property is a business, commercial, industrial or manufacturing property, the use of a skilled property tax specialist is almost a necessity.

When is the hearing? What can I do?

If you decide to appeal, the hearing will occur between February 1 and March 15. If you attend, it is best to have some evidence that speaks to the value of your property. Sales of similar properties adjusted for time, size, condition, etc. may be useful and deserve attention. Sales information is not the only information that can be used as evidence at the Review Panel. High vacancy rates or structural problems with the building are of great significance and should be detailed. Market conditions and sales volumes are also indicators that can be used to correct your over-assessment. Supporting documentation in the form of engineering or geotechnical reports can also be useful. It is helpful to present enough evidence to raise concern in the minds of the Property Assessment Review Panel and thus help them with their investigative mandate.

Independent Reviews of your assessment, of course, can only be conducted by non-government entities. As such, you can be assured that we are not associated with British Columbia Assessment Authority or any other government agency.

The Decision and Re-appeal

The decision of the Review Panel will be mailed to you by April 7. If you are unhappy with their decision, one more quasi-judicial level remains; the Property Assessment Appeal Board. The deadline for appeals to this Board is April 30, and scheduled hearings would begin in June or July. At this stage, most business properties are represented by a property tax specialist.

Unfortunately, only assessments are appealable, not the taxes themselves.



That 'unfound-until-now' error!

The best property tax specialist to use is one with both a strong real estate appraisal background and extensive experience with assessments. Generally the appraisal assessment specialist should represent you at the Review Panel and Board levels. It is the real estate professional who has the domain expertise to most assist in the complex valuation and assessment issues. Matters which are legally oriented, rather than just value-based, may sometimes move on to the BC Supreme Court or the BC Court of Appeal after the Property Assessment Appeal Board stage. By and large, however, most cases are settled

long before it comes to that. Armed with appropriate documentation and a specialist in real estate property tax assessment reviews and appeals, the outcome of your appeal is likely to be positive. And that 'unfound-until-now' error in your assessment will be corrected, leaving you with less property tax to pay in the future and more hard-earned dollars where they belong, in your pocket.

Correcting your over-assessment.

Assessments can be problematic. An over-assessment cannot usually be recovered later. Unfortunately, it is up to YOU to find errors. **Responsible tax management involves the regular review of your property tax assessments.**

About the author

Michael C. Lount, B.A. Sc., AACI, is president of M.C. Lount & Associates Ltd., a leading expert in the field of property tax assessments. Mr. Lount is a 25-year member of the Appraisal Institute of Canada and holds their senior AACI designation. He also holds a Bachelor of Applied Science degree in Civil Engineering from the University of British Columbia. He can be reached at (604) 683-6191.

M. C. Lount & Associates Ltd. is an independent company and is not affiliated with the provincial government assessment office - the British Columbia Assessment Authority. Independent Reviews of your assessment, of course, can only be conducted by non-governmental entities.