

Assessment Review Board (ARB) Update

Presented to

The City of Calgary Council

BY JOHN MATHIAS, GENERAL CHAIR
JUNE 14, 2023

Attachment 4b
C2023-0531

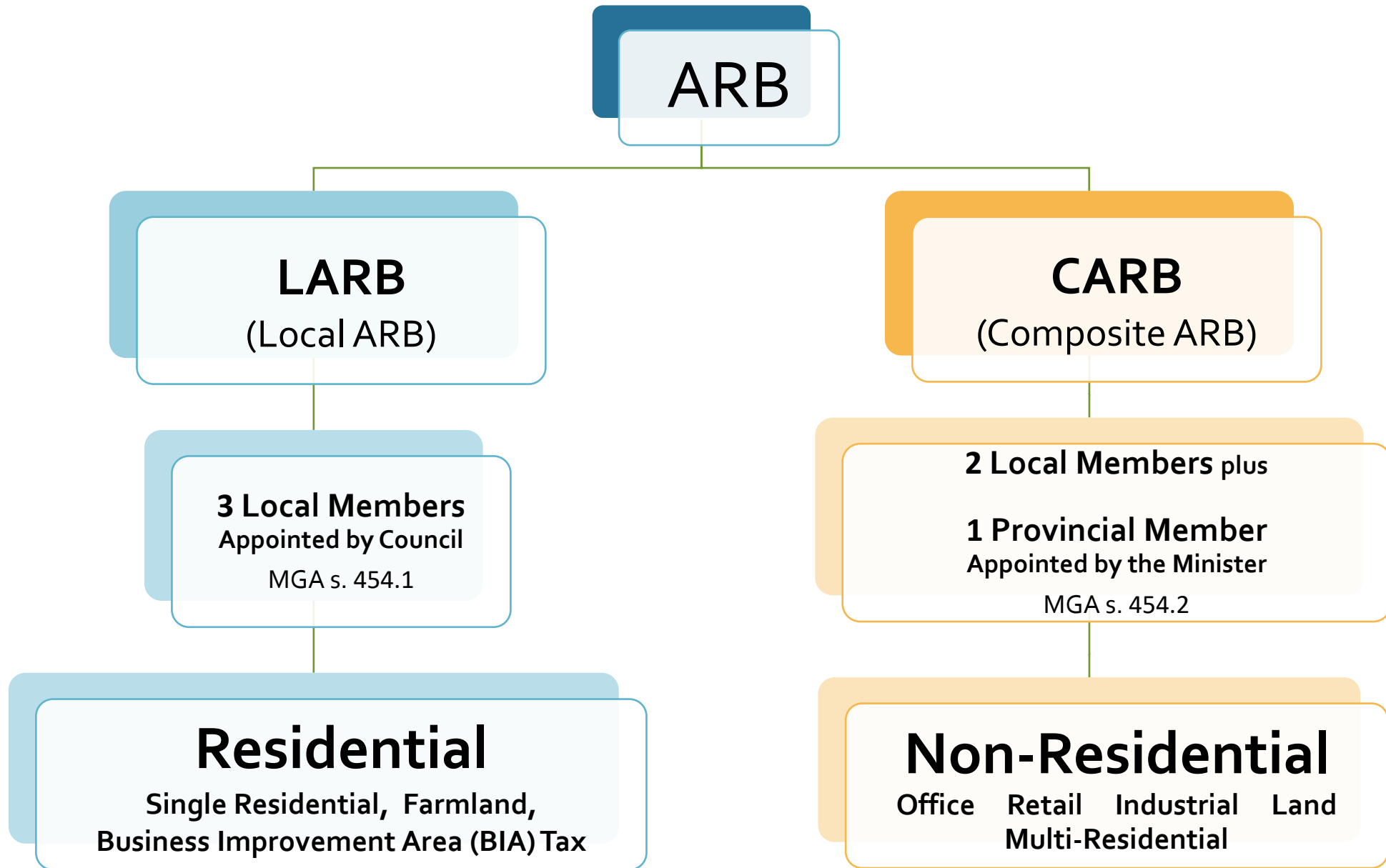
Establishment and Function of the ARB

- The ARB is an independent tribunal
 - Established pursuant to section 454 of the *Municipal Government Act*, RSA 2000 Chapter M-26 (the MGA)
- The ARB is an impartial tribunal
 - Members are not employees of the City of Calgary, are not assessors and are not tax agents
- The ARB is a specialized tribunal
 - With authority to review residential and non-residential property assessment notices issued by the assessor of the City of Calgary

- Members are appointed by Council for a one-year term, up to a maximum of 12 terms
- 33 members in 2023 including the General Chair and Vice Chair
- The ARB plays an important role, given:
 - High number of annual complaints filed
 - Significant role of property taxation in funding services for the City of Calgary
- The independence of the ARB is fundamental in upholding public confidence and trust in a fair and equitable assessment system

ARB Independence

Administrative Control	Security of Tenure	Financial Security
<p>The General Chair establishes rules, procedures and policies for the administration of the ARB:</p> <ul style="list-style-type: none"> • Policies for Board Members • ARB Procedural Rules • Policies and procedures to administration for <ul style="list-style-type: none"> • verifying complaints • scheduling hearings • processing withdrawals • preparing hearing documents • assignment and use of hearing rooms • issuing decisions • communications to parties • communications to the public <p>Member recruitment and member recommendations to Council</p> <p>Member development and assignment of panels for hearings</p>	<ul style="list-style-type: none"> • Member appointments are made by Council • Members are appointed for a one-year term • Members are not employees of the City of Calgary and are not subject to City of Calgary employment provisions <p><i>MGA ss 454.1 and 454.2</i></p>	<ul style="list-style-type: none"> • Remuneration is prescribed by Council and the City Clerk <p><i>MGA s 454.1 and 454.2 Bylaw 15M2018</i></p> <ul style="list-style-type: none"> • Members are remunerated for full days and half-day days spent on ARB matters • Time spent by members on ARB matters is overseen by the General Chair • Requests for remuneration for members is submitted bi-monthly by the General Chair



Member Development

- Every three years each member must successfully complete a training program set by the Minister
- Annual and ongoing member reviews
- Annual training conference
- Daily meetings with members
- Support and guidance from ARB Leadership
- Focus on decision-writing skills
- Mentoring of new and developing members

A Review of the 2022 Hearing Year

Decisions

- Ongoing focus on quality of ARB decisions
- All LARB decisions and 91% of CARB decisions were issued within 30 days
- 438 decisions issued
- 7 decisions (1.6%) are subject to application for judicial review to the Court of King's Bench

Member Commitment

- Videoconference, teleconference, written and in-person hearings were conducted
- ARB Spring Training Conference – April 2022 (held on Teams)
- Summer barbecue and December Holiday gathering were arranged to give members opportunities to gather in person

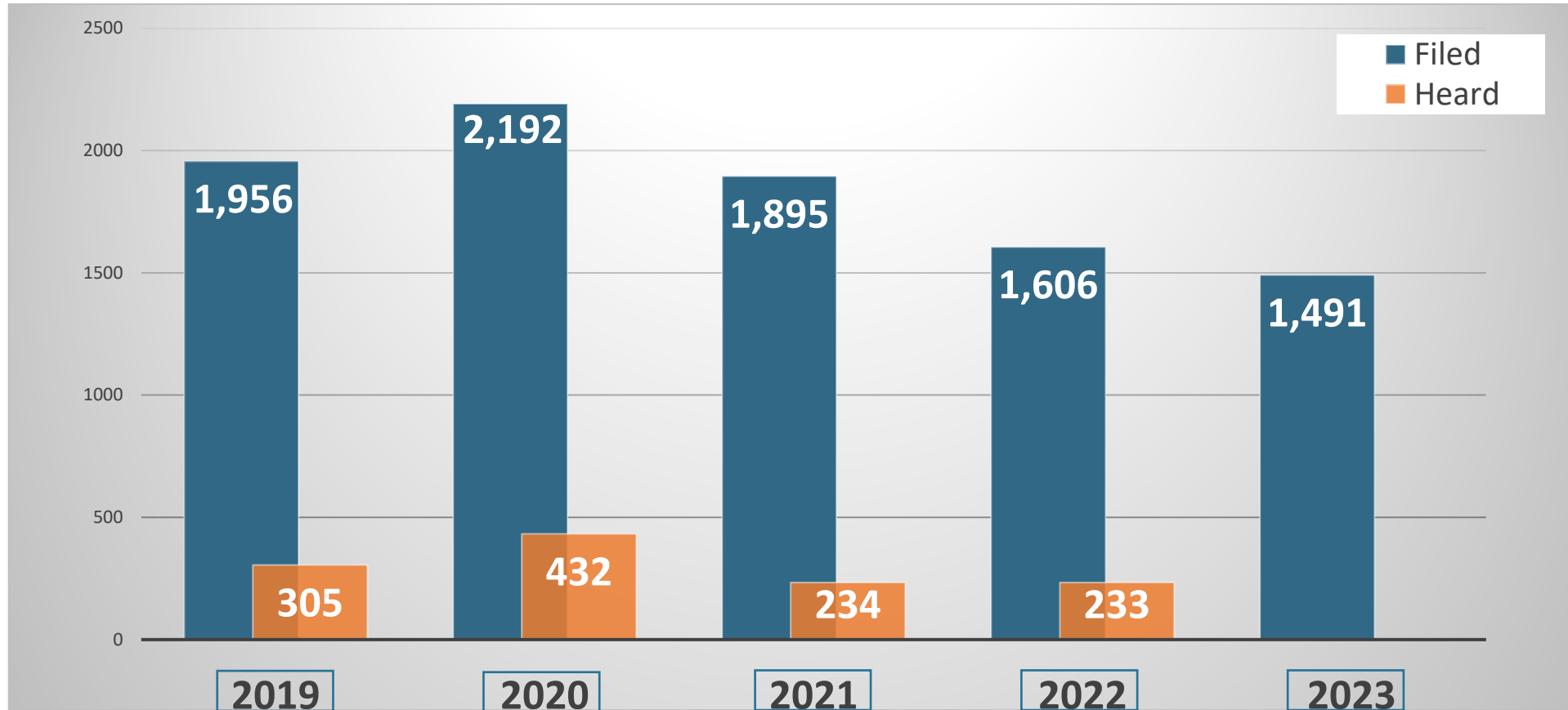
ARB Hearing Season



Complaint Volume

	2019	2020	2021	2022	2023
Non-Residential	1,956	2,196	1,868	1,606	1,491 ↓
Residential	996	808	523	390	560 ↑
Total	2,952	3,004	2,391	1,996	2,051

Non-Residential Complaints – 2019 to 2023

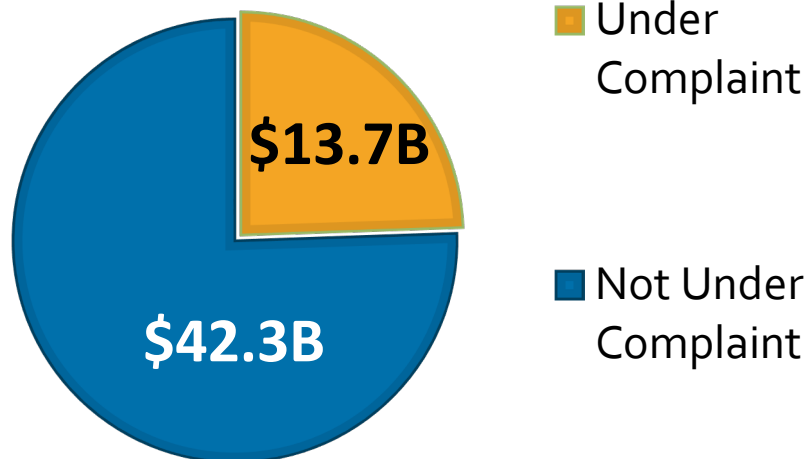


Resolved before Hearing: **83.90%** **79.59%** **87.65%** **85.50%**

Calgary Property Values Under Complaint

2022 NON-RESIDENTIAL ACCOUNTS (14,745)

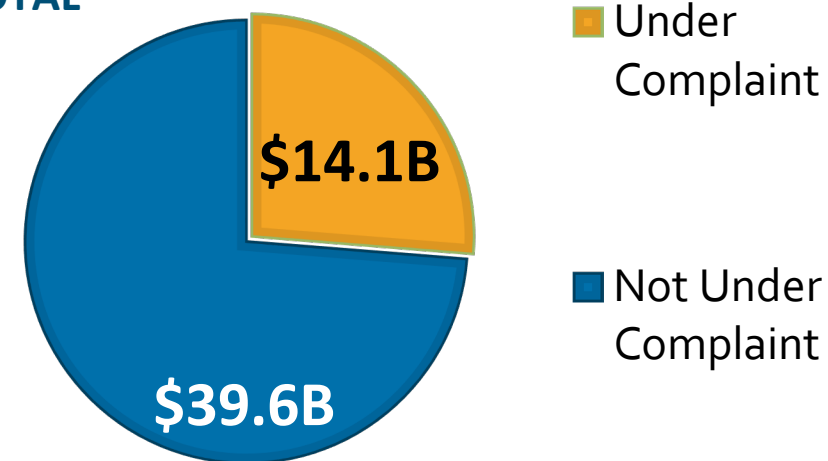
\$56.0B TOTAL



1,606 Accounts Under Complaint (10.9% of Total)
 24.5% of Total \$ Value Under Complaint
 Highest Value Under Complaint \$418.1M (Eau Claire)
 Median Value Under Complaint \$4.3M

2023 NON-RESIDENTIAL ACCOUNTS (14,798)

\$57.7B TOTAL

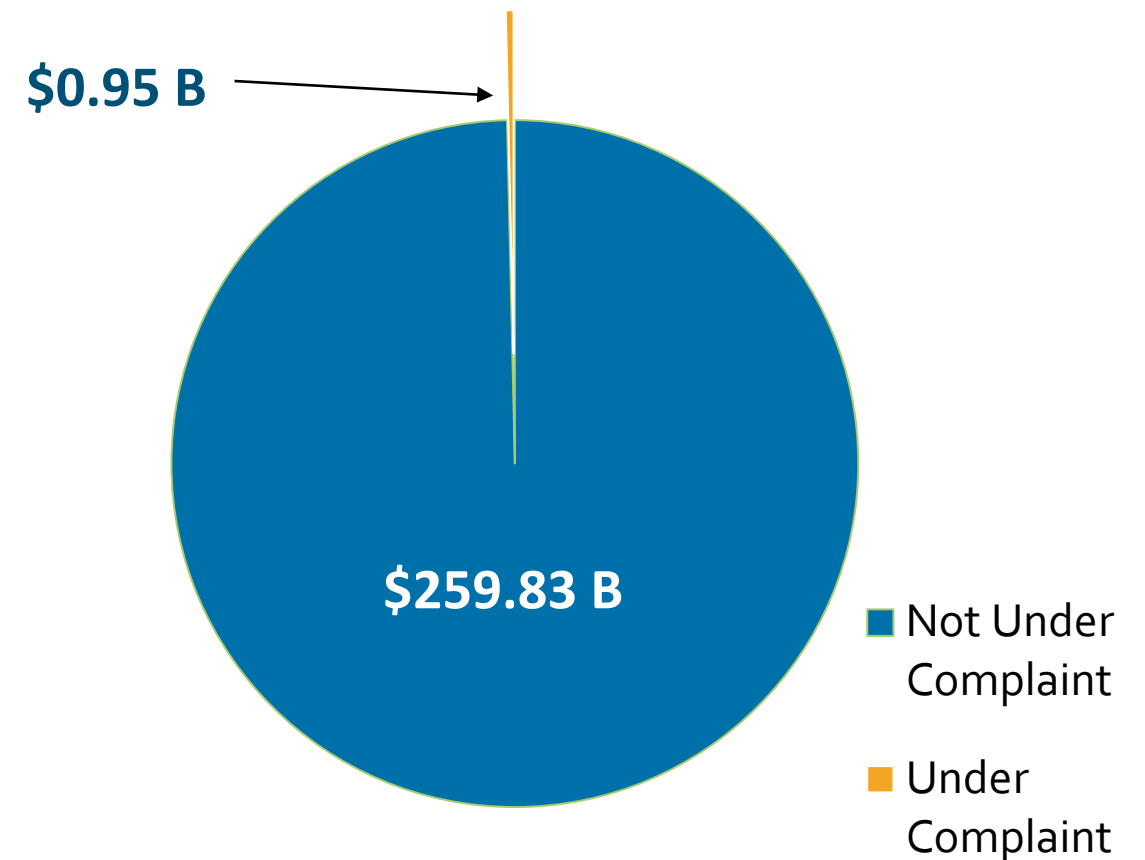
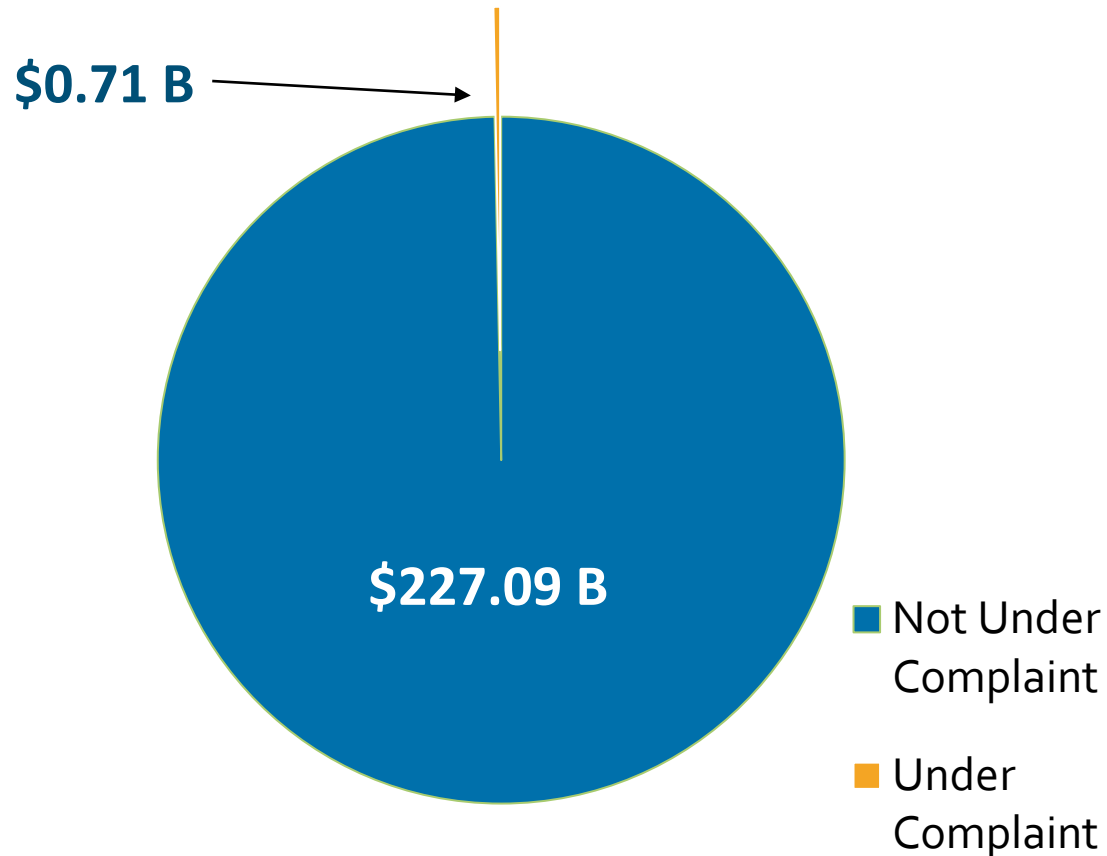


1,491 Accounts Under Complaint (10.1% of Total)
 24.4% of Total \$ Value Under Complaint
 Highest Value Under Complaint \$552.7M
 Median Value Under Complaint \$4.2M

Calgary Property Values Under Complaint

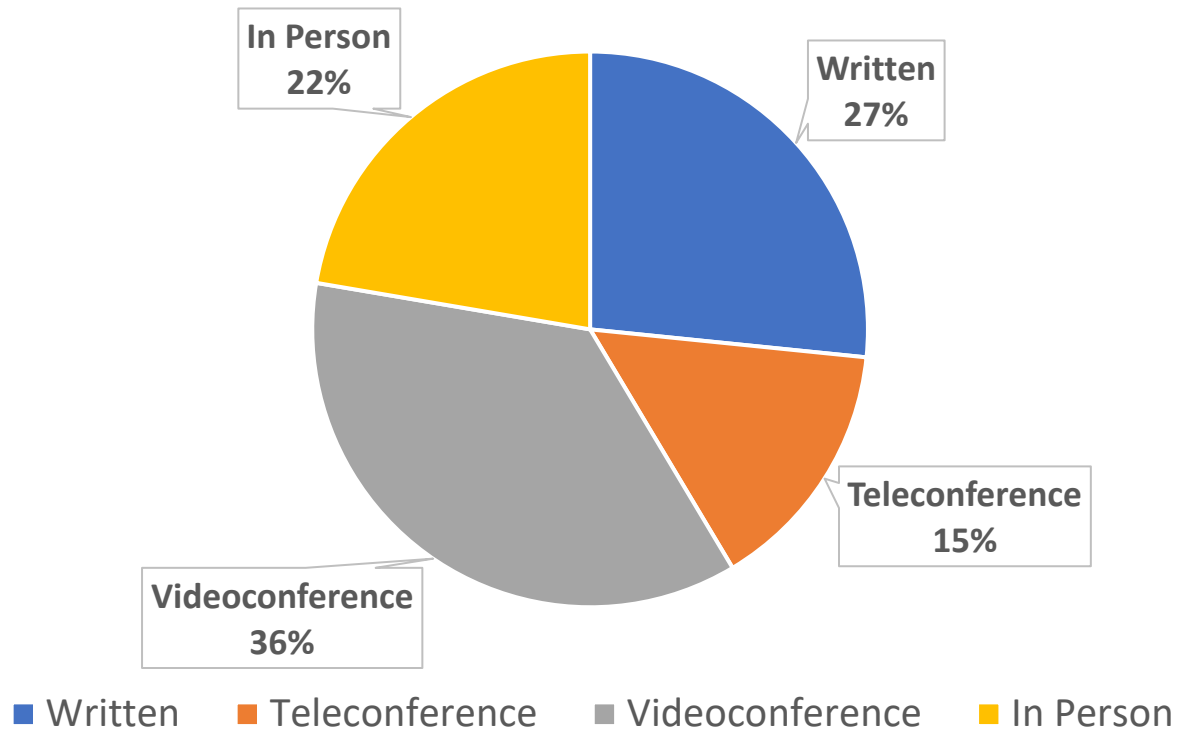
2022 RESIDENTIAL ACCOUNTS (531,956)

2023 RESIDENTIAL ACCOUNTS (540,321)

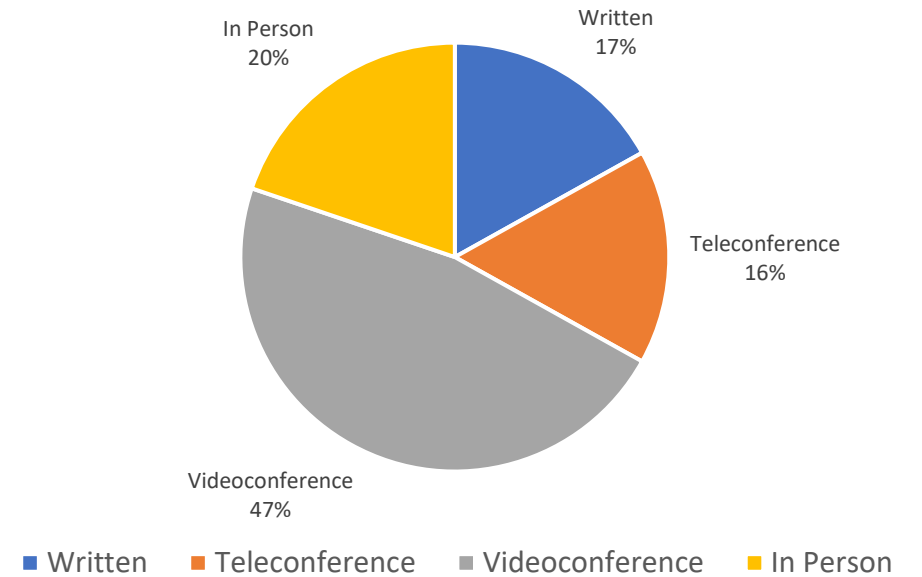


In-Person Hearings only		Remote Hearings only		ARB Office Re-opened	
2018	2019	2020	2021	2022	2023
All Hearing Documents on Paper	Introduction of Paperless Hearings	Written	Written	Written	Written
		Teleconference	Teleconference (default option)	Teleconference	Teleconference
			Videoconference	Videoconference (default option)	Videoconference
				In Person	In Person (default option)

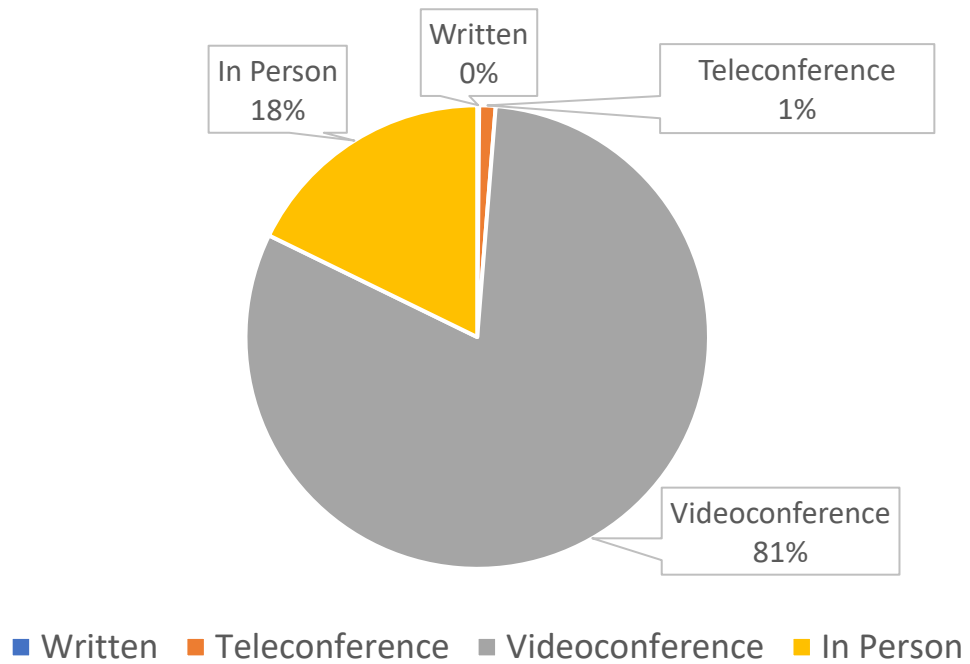
2023 Requested LARB Hearing Formats



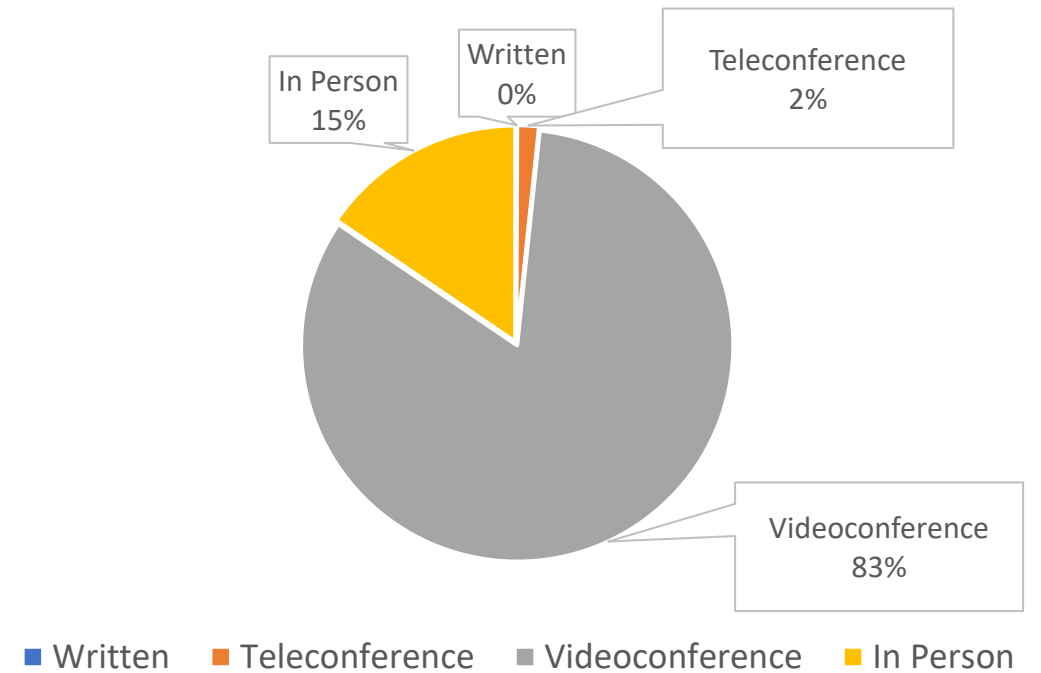
2022 Requested LARB Hearing Formats



2023 CARB Requested Hearing Formats



2022 Requested CARB Hearing Formats



2023 Timelines for Hearings

LARB

- Hearings start May 1
- Hearings Mon – Wed
- Estimated mid-August completion
- 5 panels per week

CARB

- Hearings start June 12
- Hearings Mon – Thurs
- Estimated end of October completion
- 6 panels per week

Operational Challenges

Increasing Volume of Complaints Resolved Prior to Hearing

- 85.5% of 2022 CARB complaints were settled prior to their hearing date
- 32.8% of CARB complaints that were resolved prior to hearing were withdrawn within 30 days of the hearing date
- Scheduled hearings that are cancelled within 30 days of the hearing date provide challenges for rescheduling members, and for maintaining member engagement and commitment

Recruitment Challenges

Attraction and retention of qualified ARB members is important for the ARB to continue to function at a high level, and is critical to the ARB's succession planning

Given :

- The assessment complaint filing deadline occurs in early to mid-March each year
- ARB training sessions and the hearing season commence in April each year

Leadership finds that commencing recruitment for ARB members in August is too early as:

- Prospective members and returning members find it difficult to assess their availability for April to October of the following year
- ARB Leadership finds it difficult to accurately assess its membership needs 8 months in advance of the next hearing season
- August and September are busy months for members to conduct hearings and write decisions and for Leadership to oversee hearings and finalize decisions on non-residential complaints
- Mid-September commencement of the ARB recruitment campaign is respectfully suggested

2023 Work Plan

- Four hearing formats offered
- Multi-functional hearing rooms at the ARB can accommodate all hearing formats
 - Increased attendance by members at ARB office for in person and electronic hearings
 - Enhanced member development, training and support available at ARB office
 - More opportunities for members to meet in person for hearings and deliberations
- In person stakeholder meeting held in March with agents and City assessment focused on CARB hearings
- ARB membership decreased to 33 members, ARB Leadership reduced to two
- Spring training conference held in person and on Teams on April 26