The Corporation of the Town of South Bruce Peninsula

By-Law Number 55-2014

Being a By-Law to Amend By-Law Number 44-2009 Being a By-Law to Adopt the Manual Governing the Policies and Procedures for the Corporation of the Town of South Bruce Peninsula (Property Tax Billing and Collection Policy)

Whereas Section 8 of the Municipal Act, 2001, c.25, as amended, provides that the powers of a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

And whereas Section 11 of the Municipal Act, 2001, c.25, as amended authorizes municipalities to pass by-laws regarding the accountability and transparency of the municipality and its operations;

And whereas Section 270 (1) 5 of the Municipal Act, 2001, c.25, as amended authorizes the municipality to adopt and maintain policies with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public;

And whereas the Council of the Corporation of the Town of South Bruce Peninsula adopted a Municipal Policy Manual and desires to amend said by-law by amending the policy regarding Tax Collections & Procedures.

Now therefore the Council of the Corporation of the Town of South Bruce Peninsula enact as follows:

1) That Policy TR.13.1 Tax Collections & Procedures be renamed Property Tax Billing and Collection Policy, be as attached hereto and shall form part of the Municipal Policy Manual.

2) That all by-laws and policies inconsistent with this by-law are hereby repealed and replaced with this by-law.

3) That this by-law shall come into full force and effect upon the final passing thereof.
Read a first and second time this 17th day of June, 2014.

[Signature]
Mayor

[Signature]
Clerk

Read a third time and finally passed this 17th day of June, 2014.

[Signature]
Mayor

[Signature]
Clerk
Property Tax Billing and Collection Policy

Purpose:

The Town of South Bruce Peninsula collects taxes on behalf of the Municipality, the County of Bruce and the school boards, and is responsible to ensure all overdue Property Taxes are collected in a timely and systematic manner. The purpose of this policy is to establish fair and equitable processes for the collection of overdue municipal Property Taxes, and to outline how such payments will be applied. This policy is intended to authorize the Treasurer to fully exercise the powers vested in the Municipality under the provisions of the Municipal Act and provincial regulations with respect to the collection of tax arrears. It also provides for legislated policy requirements, such as the various rebate programs and programs available to ratepayers and the ability of the Municipality to amend assessment information.

Policy:

The policy is attached hereto.
Town of South Bruce Peninsula

Property Tax Billing and Collection Policy

(17th June 2014)
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Section A - Overview

Scope
This policy covers all aspects of billing and collection of Property Taxes, up to and including the initiation of Municipal Tax Sale proceedings. All procedures related to a Municipal Tax Sale are carried out in accordance with Ontario Regulation 181/03. This policy excludes collection of payments-in-lieu of taxes.

Legislative Authority
This policy is written in compliance with the *Municipal Act*, 2001, related Ontario Regulations made under the Act and applicable Municipal by-laws, as amended from time to time.

Administration
This policy is administered by the Finance Department.

Accountability
The Treasurer is responsible to ensure that outstanding Property Tax collection processes are performed in accordance with this policy and all applicable legislation. The Treasurer has the authority to exercise discretion in the application of this policy where unusual circumstances are apparent, provided such discretion is in accordance with all applicable legislation.

In addition, The Treasurer, or delegate, is responsible to:
- ensure this policy remains consistent with current legislation;
- ensure applicable staff are aware of, and trained on this policy;
- communicate any policy revisions to applicable staff; and
- assess overdue Property Tax accounts to ensure tax collection processes are performed in accordance with this policy.

Policy Review
This policy will be reviewed annually by the Treasurer with any changes being recommended to Town Council for approval.
Definitions

For the purposes of this policy:

"Cancellation Price" means an amount owing equal to all Tax Arrears, together with all current taxes owing, Penalties and interest and costs incurred by the Municipality after the registration of a Tax Arrears Certificate under section 373 of the Act.

"Collection Costs" means all costs incurred by the Municipality to obtain information for collection purposes and/or collect Tax Arrears including, but not limited to, title search fees, corporate search fees, registered or certified mail, administrative charges, legal costs and tax sale costs.

"Council" means the municipal Council of the Town of South Bruce Peninsula.

"Extension Agreement" means a contract between the Municipality and the owner, spouse of the owner, a mortgagee or a tenant in occupation to extend the period of time in which the Cancellation Price is to be paid. The contract is entered into after the registration of a Tax Arrears Certificate and before the expiry of the one-year period following the registration date.

"Penalties and interest" means amounts applied by the Municipality to unpaid Property Tax accounts, in accordance with section 345 of the Act and applicable Municipality by-laws.

"Municipal Tax Sale" means the sale of land for Tax Arrears according to proceedings prescribed by the Act and Ontario Regulation 181/03.

"Municipality" means the Corporation of the Town of South Bruce Peninsula.

"Property Taxes" means the total amount of taxes for municipal, county and school purposes levied on a property and includes other amounts added to the tax roll as may be permitted by applicable Provincial legislation.

"Tax Arrears" means any portion of Property Taxes that remain unpaid after the date on which they are due.

"Tax Arrears Certificate" means a document that is registered on title, indicating the described property will be sold by public sale if all Property Taxes are not paid to the municipality within one year of the registration of the certificate.

"Town" means the Corporation of the Town of South Bruce Peninsula.

"Treasurer" means the Treasurer of the Town of South Bruce Peninsula or Designate.
Section B – Billing, Payments and Delivery of Tax Bills

Billing - Interim
As provided in the Municipal Act, the property owners shall be mailed an interim tax bill. The interim bill shall represent up to fifty percent (50%) of the previous year’s taxes billed and be payable in two instalments. This interim bill shall be mailed before mid-February of each calendar year. The two due dates will be the third Friday of March and May.

Participants in the preauthorized payment program will have received a notice in the preceding January advising of what their monthly payment withdrawal from their bank account will be. Interim tax bills will still be mailed to these participants.

Billing - Final
After completion of the annual budgetary process, and the setting of tax ratios and rates, a final bill shall be mailed to the property owners. The final tax bill shall be the levied taxes for the year less the interim bill, and be payable in two instalments. This final bill will be mailed before the end of June in each calendar year. The two due dates will be the third Friday of July and September.

Any applicable BIA levy charges and Local Improvement Charges will be included in the Final billing.

All participants in any preauthorized payment program will receive a tax bill with a note on the bill that they are a participant in a preauthorized payment plan and that the bill is for information purposes only.

Supplementary / Omitted Assessments
After receiving notification from the Municipal Property Assessment Corporation (MPAC) tax bills shall be calculated, printed, and mailed to the proper owners identified on the supplementary/omitted assessment notification listing from MPAC.

Participants in the monthly preauthorized payment program will receive a note advising that they must pay the supplementary bill over and above their current monthly payment plan or contact the Municipality in writing to amend their pre-authorized amount to include this billing prior to the end of the calendar year. Note that the supplementary bill may be processed closer to the end of the year and there may not be sufficient time to accommodate a monthly payment plan.

Delivery Address
Property Tax bills and notices are mailed to the address of the property as shown on the Municipality's database unless the taxpayer advises the Municipality, in writing, of an alternate mailing address. Any bill or notice sent by standard letter mail is considered delivered to and received by the addressee unless the notice is returned by Canada Post and an error in the mailing address is evident. Taxpayers are responsible to notify the Municipality of any changes to a mailing address. Failure to notify the Municipality of an address change in writing is not an error on behalf of the Municipality, and the resulting failure to receive a tax bill does not excuse a taxpayer from responsibility for payment of the taxes nor relieve liability for penalty due to late payment.

Due Dates
The Municipal Act section 343 (1) provides that each property owner be given twenty-one (21) days' notice to pay when receiving a tax bill. However, the Municipality may give more notice where-ever possible.

Mortgage Company
A mortgage listing of roll numbers, taxes due and owing and the due dates, will be provided to each mortgage company who has provided the Municipality with notification that they hold an interest in a particular property.

Payments
Payment of taxes must be received in the Municipality's administrative office, on or before the due date. The following are the modes of payments that are available for the property owner's use:

a) In person, at the counter or drop box of the Municipal office at 315 George Street, Wiarton (the drop box is accessible after hours as well)
b) Telephone or Internet Banking – using the nineteen digit roll number as the account number (allow sufficient processing time);
c) By regular mail (allow sufficient delivery time. The post mark is not regarded as proof of timely payment)
d) One of the Municipality's Preauthorized Payment Plans;
e) Post Dated Cheques;
f) Payments by a mortgage holder;

Payments may be made using one or more of the following methods:
a) Cash,
b) Cheque,
c) Money Order, and/or
d) Debit.
If a property has been registered through the Municipal Tax Sale process the payment MUST be in the form of a cash, certified cheque or bank draft. Partial payment is not accepted where a Tax Arrears Certificate has been registered against a property, except where the Municipality has entered into an Extension Agreement.

In accordance with the Municipal Act s.347 payments shall be applied as follows:
1) First to the oldest and all penalty and interest,
2) Then to the taxes starting with the oldest taxes up to the current, and other amounts deemed to be taxes that have been added to the roll.

Pre- Authorized Payment Plan
To assist property owners who prefer to equalize their annual tax payments the following preauthorized payment plans are offered.

a) Monthly – provides for a withdrawal from the property owner’s bank account on the 10th day of each month an amount sufficient enough to ensure that all taxes billed are paid within the current year. Property owners are eligible if their account is paid up to their chosen date of enrolment.

The dollar amount to be withdrawn from the participants account shall be recalculated twice a year:
1) At the end of each calendar year in December, calculating a monthly amount based on the current year’s taxes averaged over twelve payments, to take effect on 10th January of the following year.
2) After the calculation of the final bill. This calculation would be the current year’s taxes, less what has been paid, divided by the remaining months (or withdrawals) in the year. The revised payment so calculated will commence 10th July. In both cases the property owner shall receive a notification as to the dollar amount change.

b) Instalment – provides for a withdrawal from the property owner’s bank account, on the due date an amount sufficient enough to ensure that all taxes due and payable on the said date are paid in full. Property owners are eligible if their account is paid up to their chosen enrolment date.

To participate in any of the Preauthorized Payment Plans applicants must submit an application in writing on the Municipality’s prescribed form and submit it fifteen (15) calendar days prior to the payment withdrawal date.
Participants in the program wishing to make changes to their application (for example banking information), or cancel their participation in the program must do so in writing fifteen (15) calendar days prior to the scheduled payment withdrawal date.

Note that pre-authorized payment plans are a courtesy alternative payment plan offered by the Municipality. If a property owner’s payment fails to clear the bank, two (2) consecutive times, the applicant relinquishes their right to participate in the program.
Dishonoured Items and Communication

Payments not clearing the payer’s bank will result in the payment being removed from the applicable tax account and an administrative fee, as indicated in the Municipality’s User Fee Bylaw, being added to the applicable account. The payer shall be advised of the returned payment, administrative fee, and the current balance due and owing on their account.

Late Payments Charges / Penalties and Interest
All Tax Arrears are also subject to Penalties and interest. In accordance with the Municipal Act, s.345 and the Municipality’s bylaws, penalty and interest shall be charged on any tax arrears that remain outstanding on the first calendar day of each month.
Interest is added to previous year’s arrears. Penalty is added to overdue current taxes.

Refunds of Credit Balances on Accounts
From time to time property tax accounts may experience credit balances for various reasons. The Finance Department will issue refunds upon written request from the registered property owner.
In the case of what appears to be a duplicate payment, refunds will not be issued until two weeks after the date of receipt of the duplicate payment.
Section C – Tax Arrears Collection

Realty taxes are a secured special lien on land in priority to any other claim, except a claim by the Crown. Taxes may be recovered with costs as a debt due to the Municipality from the original owner and/or any subsequent owner of the property.

The Municipality will primarily use the following methods to collect Tax Arrears:
• Mail monthly arrears notices;
• Verbal communication;
• Issue Year End Statements of Taxes, Overdue Notices and Final Notices;
• Send the taxpayer a form or personalized letter;
• Arrange terms of payment;
• Issue Notices to Interested Parties;
• Legal action; and
• Municipal Tax Sale

Collection Steps
To remind property owners that their tax account is not in good standing the Finance Department shall send a reminder notice to each property owner, whose account is over twenty five dollars ($25.00) in arrears. Overdue Reminder notices shall be forwarded to the property owner on or before the fifteenth (15th) of each month that the account is in arrears.

Year End Statement of Taxes: The Municipal Act requires that the Treasurer send a statement on or before February 28th of each year to any property owner who has arrears on their respective tax account. The statement must be the balance at December 31st.

Payment Arrangements:
The Treasurer may enter into payment arrangements with ratepayers at any time prior to the registration of a Tax Arrears Certificate. Payment arrangements must include all Tax Arrears, current taxes, accruing estimates of future taxes and Penalties and interest and be sufficient to ensure payment in full is realized within a reasonable period of time. Penalties and interest will continue to accrue during all such payment arrangements until full payment on the account has been made. Post-dated cheques are the preferred method of payment.

Notwithstanding any such arrangements, no third party payments will be refused for payment on account (e.g. payment from a mortgagee), as long as the third party has sufficient information regarding the property. Confidential account information will not be released to unauthorized parties.
If acceptable payment arrangements are negotiated, the account is monitored for compliance. Follow-up with the taxpayer is done by telephone or in writing, as required.
Once a payment arrangement has been established, if there are two consecutive returned payments or two payments are returned within six months, the payment arrangement is deemed void and the taxpayer is advised that payment in full, by certified funds or money order, is required or the next collection step will be taken.

**Collection Steps for Accounts with 3+ Years Arrears**

If acceptable payment arrangements are not negotiated, then all properties with taxes which are three or more years in arrears shall have the Municipal Tax Sale process enacted. At least once per calendar year, the Treasurer shall review the Municipality’s Property Tax Aged Trial Balance for property owners whose taxes are at or approaching three years in arrears.

In addition to issuing Year-End Statements of Taxes and Overdue Notices as outlined above, the following actions will be taken once a property is identified for tax sale;

1. Notices for properties approaching three years in arrears are mailed November annually advising of the seriousness of the tax arrears and the implications of tax registration.

2. If the November letter is not responded to, a further letter is mailed in December reminding the property owner of the seriousness of the tax situation and advising of a deadline for December 31st of the current year to pay the arrears or enter into a firm, suitable payment arrangement with the Treasurer of the Municipality. Any payment arrangements made should be documented specifying the time schedule, method of payment and the amount of each payment. No plan should exceed a period of twenty-four (24) months, at the Treasurer’s discretion.

3. If no response has been received from our letters, it is our practice to ensure the ratepayer is aware of the tax situation by having the information hand delivered. At this point we provide a deadline date for response prior to the file being forwarded to RealTax (the company who does our tax registrations for us).

4. If the ratepayer does not respond to any of our requests for communication, we transfer the file to RealTax for the tax registration process to begin.

5. The process starts with the sending of the Notice Of Intent To Realize On Security as required by the *Farm Debt Mediation Act* to the owners of the property.

6. If the taxes remain unpaid or an agreement has not been entered into within 15 business days, a Tax Arrears Certificate is registered on title. Once a Tax Arrears Certificate has been registered, only full payment of the Cancellation Price will be accepted unless Council has approved an Extension Agreement. Full payment will be accepted up to the date of transfer of ownership of the property following a sale.

7. Within 60 days of registration of the Tax Arrears Certificate, a Notice of Registration of Tax Arrears Certificate is sent to the property owner and all interested parties.

8. If full payment is not received within 280 days of registration of the Tax Arrears Certificate, the Municipality issues a Final Notice to the property owner and all interested parties within 30 days after the expiry of the 280-day period. The Final
Notice specifies the date on which the property will be advertised for public sale if the Tax Arrears are not paid or unless Council has approved an Extension Agreement.

9. If the taxes remain unpaid or no extension agreement for payment is entered into one year after the registration of the Tax Arrears Certificate, the property shall be advertised for sale.

Extension Agreements
An Extension Agreement must be requested by the property owner, their spouse, the mortgage holder or their legal agent, prior to the one year period of the registration of the Tax Arrears Certificate.

If no agreement is reached as to the terms, and or the agreement is denied by Council, the sale proceeds by returning to the point where the stop in the tax sale process was at immediately prior to the extension agreement being requested.

A Bylaw must be passed by Council authorizing that an extension agreement may be entered into with the property owner prior to the expiration of the one year period from the date of registering the Tax Arrears Certificate.

When an extension agreement is entered into a copy shall be placed in the Municipal property files and the sale process is suspended or placed on hold until all the terms of the agreement have been fulfilled.

If there is a breach of the agreement the tax sale process recommences by returning to that step in the tax sale procedure immediately prior to the extension agreement being entered into.

When the terms of the agreement have been fulfilled the Treasurer shall register a Cancellation Certificate on the land title, thus signifying that the tax sale has been averted, and the process stops.

The Municipal Act provides that the property may be sold by sealed tender, or public auction. The Municipality's preference is by sealed tender.

Public Tender – Sale of Land Process
Land is advertised for sale, once in the Ontario Gazette and once a week for four weeks in a local newspaper.

Tenders are opened in an open forum, recorded as received, and then reviewed to ensure completeness of the tenders submitted.

The highest tender or two highest tenders, if more than one is received are retained. The minimum acceptable bid is the cancellation price.
Notice sent to highest bidder requests payment of the balance of the amount tendered, applicable land transfer tax, and accumulated taxes. All tax sale costs are added to the Collector’s Roll balance.

Payment must be received from the highest bidder within 14 days of the date of the notices of highest bidder being mailed by the Treasurer. Upon receipt, the Treasurer shall issue a receipt and declare the highest bidder to be the successful purchaser. If no payment is received within 14 calendar days of the mail of the notice the deposit is forfeited. A notice is then sent to the second highest bidder and the process repeats.

**Deed Issuance and Registration**
Sale proceeds less the cancellation price, is paid into the Superior Court of Justice together with the Statement of Facts. All of the tax sale costs are added to the Collector’s roll before declaring the surplus funds.

Tax deed and statutory declaration of the Treasurer is registered on title.

Note: The cancellation price may be paid by the former owner anytime before title has been transferred, including when there has been a successful purchaser by tender or by auction.

**Vesting**
Where there is no successful purchaser a Notice of Vesting may be issued and the Treasurer shall register a declaration to that effect at the local land registry office. Council has two (2) years to decide whether to vest a property. The *Municipal Act* allows for inspection of the property including an environmental assessment.

Council may re-advertise for another tender or auction within two (2) years without writing off the tax arrears. If Council decides not to vest, Council may choose to write off the taxes and issue a tax cancellation certificate. Council may also decide to write off all or part of the taxes with the purpose of re-registration of the tax arrears and repeating the tax sale process from the beginning. If Council decides to vest the property, the tax arrears will be written off and the property may be declared surplus assets and advertised for sale.
Section D – Write-Offs & Rebates

From time to time the Municipality will receive notifications of change in assessment or tax class. Authority to review and process these adjustments is delegated to the Treasurer. Some of the types of assessment applications and notifications that may affect the assessment value on a property which may result in a write off or reduction in taxes are:

- Applications For Reduction in Assessment - under section 357 & 358 of the Municipal Act
- Request for Reconsideration (RFR) – under section 39.1 of the Assessment Act
- Assessment Review Board (ARB) Decision – under Assessment Act
- Minutes of Settlement (MOS) – under Section 40 of the Assessment Act
- Post Roll Assessment Notice (PRAN) – under the Assessment Act
- Advisory Notice of Adjustment (ANA) – under of the Assessment Act
- Vacant Commercial & Industrial Unit Rebates – under section 364 of the Municipal Act
- Charity Rebates – under section 361 of the Municipal Act
- Tax Relief For Low Income Seniors and Low Income Persons With Disabilities - under section 319 of the Municipal Act
- Tax Rebates For Legion Properties - under section 361 of the Municipal Act

Penalty and Interest Reversal on Write-offs
As per the Municipal Act s. 345 (6) & 345 (7) penalty interest that has accrued on a property tax account as the result of non-payment, and a write off taxes has occurred as the result of one of the legislation tax reduction methods; the penalty and interest shall be reversed as though the taxes had originally been billed correctly.

The amount of Penalties and interest cancelled is limited to the amount related to the tax reduction associated with a tax adjustment, change in assessment or Municipality error or omission.

Applications for Reductions in Assessment Value (Section 357 and 358)
Under Section 357 and 358 of the Municipal Act applications may be made to the Municipality by the property owner or their agent for reduction in assessment for the following reasons:
- Building was razed by fire,
- Building was demolished,
- Ceases to be liable for the tax rate that the property had been originally billed at,
- Became exempt from property taxation,
- Is damaged and substantially unusable,
- Where a Mobile unit is removed,
- Experiences a Gross or manifest clerical / factual error,
- Is under repairs / renovations preventing normal use (min. 3 months).
The prescribed form may be obtained from the Municipal administrative offices 315 George Street, Wiarton, ON, N0H 2T0, and returned to same address when completed.
The following process will be followed:
1) An application may only be made by the owner of the land at the time of the application or by another person who has an interest in the land, or a tenant or occupant, or is the spouse of the owner.
2) An application under this section must be filed with the Treasurer on or before February 28th of the following year in respect of which the application is being made.
3) Applications are then forwarded on to the MPAC for their recommendation of assessment value, and or tax class change.
4) The tax change is calculated by the Treasurer, using the recommended changes from MPAC, and the applicant is advised.
9) The applicant then has thirty-five (35) days to appeal to the Assessment Review Board if they do not agree.

Request for Reconsideration (RfR)
If a property owner does not agree with the assessed value of their property or feels that the property classification is not correct, they may file a Request for Reconsideration (RfR) with MPAC by March 31st of the current taxation year (for example, the deadline to file a RfR for 2014 with MPAC was March 31, 2014)

After due investigation MPAC will issue their decision. Both the property owner and the Municipality have the option to either accept the decision of MPAC or appeal to the Assessment Review Board (ARB) with 90 days of being notified of the RfR Notice of Decision.

Assessment Review Board Applications
Property owners may apply to the Assessment Review Board (ARB) to appeal their assessment. The deadline for these types of appeals is March 31st of the current taxation year,

If the subject property, or a portion of it, is classified as residential, farm or managed forests, the property owner must first file a RfR with MPAC before they are eligible to file an Appeal with the ARB. Other property tax classes may appeal the assessment to the ARB directly.

Forms, fees and deadlines are available on the ARB web site at www.arb.gov.on.ca

Minutes of Settlement
Minutes of Settlement (MOS) are issued after a property owner has applied to the Assessment Review Board, and MPAC has negotiated a settlement with the property owner, prior to going to the assessment review board hearing. MOS will be sent to the municipality by the ARB or MPAC.
Post Roll Assessment Notices (PRAN)
At any time during a taxation year, if there was a factual error(s) in the assessed value, classification or tax status of your property, MPAC has the authority to correct the error by issuing a Post Roll Amended Notice. This notice corrects the assessment provided in a previously issued Property Assessment Notice and is sent to both the property owner and the Municipality.

Advisory Notice of Adjustment (ANA)
Where there has been a change to the assessed value that affects the phase-in values for the current or preceding taxation years and there is no other method to report the revised phase-in values, an Advisory Notice of Adjustment is sent to the property taxpayer. An Advisory Notice of Adjustment is a notification only. These notices are typically used to advise of the change in the phased-in assessment following a decision of the Assessment Review Board.

Vacant Commercial & Industrial Unit Rebates
The Municipal Act s.364 requires that every municipality must provide for vacant commercial and industrial rebates.

Eligibility
1) Buildings that are entirely vacant - a whole commercial or industrial building will be eligible for a rebate if the entire building was unused for at least 90 consecutive days
2) Buildings that are partially vacant;
   a. A suite or unit within a commercial building will be eligible for a rebate if, for at least 90 consecutive days, it was
      • unused;
      • and clearly delineated or physically separated from the used portions of the building;
      • and either capable of being leased for immediate occupation, undergoing or in need of repairs or renovations that prevented it from being available for lease for occupation, or unfit for occupation.
   b. A portion of the industrial building will be eligible for a rebate if, for at least 90 consecutive days if it was
      • unused;
      • and clearly delineated or physically separated from the used portions of the building.

Applications, submission requirements, exclusions and complete details are available on the Municipality’s web site at www.southbrucepeninsula.com or at the Municipal administrative offices at 315 George Street, Wiarton, ON, N0H 2T0
Charity Rebates
The *Municipal Act* s.361 requires that every municipality, other than a lower-tier municipality, shall have a tax rebate program for eligible charities for the purposes of giving them relief from taxes or amounts paid on account of taxes on eligible property they occupy.

Eligibility
The purpose of this program is to provide tax rebates:
- to eligible charities that are registered in accordance with the Income Tax Act and that has a registration number issued to it by Canada Revenue Agency (CRA)
- occupying properties in the Commercial or Industrial tax classes

Since this is an upper-tier responsibility, details can be found under By-Law 2012-051 on the web-site at [www.brucecounty.on.ca](http://www.brucecounty.on.ca)

Tax Relief For Low Income Seniors and Low Income Persons With Disabilities
The *Municipal Act* s.319 requires that every municipality, other than a lower-tier municipality, shall provide a program of tax relief for the purposes of relieving “financial hardship.” Assistance can be in the form of a deferral or a cancellation of tax increases. Bruce County is a deferral program only.

Eligibility
The purpose of this program is to provide tax relief on property in the residential property class for persons assessed as owners who are:
- low-income seniors as defined in the by-law; or
- low-income persons with disabilities

Since this is an upper-tier responsibility, details can be found under By-Law 4087 on the web-site at [www.brucecounty.on.ca](http://www.brucecounty.on.ca)
Section E - Miscellaneous

Bankruptcy
When a property owner files for bankruptcy, the Municipality is a secured creditor, as the tax debt is a charge against the real property. The Municipality ranks in preference and priority to any other claims, except those of the Provincial and Federal government. A letter is forwarded to the trustee advising them of the Municipality’s claim and that it is assumed Property Taxes will be paid once the property is sold.

Severances / Consolidations of Properties
From time property owners will apply for severances of their properties under the authority of the Planning Act. If granted by the Planning Committee the assessment values must also be split between all the parcels of land. As part of their legislated services MPAC provides the divided assessment information. Under the authority of the Municipal Act, s.356 the Treasurer may divide the assessment roll into the parcels being severed and direct the property taxes accordingly.

Upon receipt of the divided assessment from MPAC the Municipality will monitor the report to ensure that MPAC picks up the split for the following year’s returned assessment roll. As severed portions of land are often sold, the Municipality will not recalculate the property taxes for a part year. It is understood that the seller’s and buyer’s lawyers would address who owes what as part of the property sale process.

Consolidations are processed by MPAC at the written request of the property owner. Property owners should contact MPAC directly.