CITY OF **VANCOUVER**

POLICY REPORT
Finance

Report Date:	January 30, 2006
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TO: Standing Committee on City Services and Budgets

FROM: General Manager of Corporate Services / Director of Finance

SUBJECT: 2006 Property Tax Options: Three-Year Land Averaging for Property Tax Calculations

RECOMMENDATION

A. THAT Council instruct the Director of Legal Services, in consultation with the Director of Finance to prepare a bylaw to authorize continuation of the three-year land assessment averaging program in 2006 for the purpose of calculating property taxes for Residential (Class 01) and Business/Other (Class 06) properties.

AND FURTHER THAT the bylaw be submitted to Council for consideration on March 23, 2006.

B. THAT the Director of Finance be authorized to place advertisements advising the public that Council is considering enacting a land assessment averaging bylaw and inviting input at City Services & Budgets Committee on March 23, 2006.

C. THAT, should Council approve the continuation of the land assessment averaging program on March 23, 2006, the Director of Finance be authorized to make appropriate arrangements with the BC Assessment Authority for the production of an averaged 2006 taxation roll, at an approximate cost of $20,000; source of funding to be the 2006 Operating Budget.

COUNCIL POLICY

Since 1993, Council has used three-year averaged land values in the calculation of property taxes for residential and business class properties, as a means of mitigating the impacts on property taxes of large year-over-year changes in land values.

PURPOSE

The purpose of this report is to seek Council instruction to prepare a bylaw authorizing continuation of the three-year land assessment averaging program as the method for calculating property taxes for Class 1 (Residential) and Class 6 (Business and Other) in 2006.

Approval of the recommendations in this report does not authorize continuation of the averaging methodology in 2006. These recommendations put in motion a process that will meet the requirements of the *Vancouver Charter* to advise the public that averaging is being considered by Council, of the impacts that averaging will have on sample properties in the City, and of the opportunity to make their views known prior to a Council decision to proceed. As noted in the recommendations, the bylaw would be submitted for consideration on March 31, 2006 at which time input from the public would be heard.

BACKGROUND

In each year since 1989, Council has chosen to intervene in the market value assessment system in order to mitigate the impacts of shifts in taxation within the business (Class 06) and residential (Class 01) property classes resulting from uneven assessment changes on properties within these classes. These interventions are summarized in Appendix A.

In 1992, the provincial government enacted legislation which establishes three-year land value assessment averaging as one of two options for mitigating the impact that large year over year increases in assessments can have on the calculation of property taxes. Land value assessment averaging allows Council to average the land value component of a property assessment over the current year and the two previous years for the purposes of calculating current taxes. Improvement values used in this calculation are always current year values.

The Vancouver Charter also gives Council the ability to use land value phasing as an alternative to land value averaging in calculating property taxes. Land value phasing allows Council to phase in increases in land value over a two year period as a means of mitigating large increases in taxes. As with averaging, improvement values used in this calculation are always current year values. The phasing option has never shown to be as effective as averaging for mitigating changes in property taxes and Council discontinued consideration of this option several years ago.

DISCUSSION

1. Rationale and Methodology

The primary reason for utilizing land assessment averaging is to smooth the impact of year-over-year changes in assessed values when calculating taxes on individual properties. It is particularly effective where there are large increases or decreases in values within a class of property, since the effect is to phase in the impact that these changes have on property taxes.

The following table compares the calculation of property taxes under the pure market value approach and under the averaged value approach.

Calculation of Property Taxes Based on Market Value and on Land Value Averaging Method

MARKET VALUE OPTION		THREE-YEAR LAND VALUE AVERAGING OPTION	
	2006 assessed land value		Average of assessed land value for 2004, 2005, & 2006
+	2006 assessed improvement value	+	2006 assessed improvement value
=	**2006 total taxable value**	=	**total 2006 taxable value (averaged)**
x	tax rate (market)	x	tax rate (averaged)
=	**2006 general taxes**	=	**2006 general taxes**

Under the market value system, taxes are calculated by multiplying the current assessed value of land and improvements by the tax rate for the property class. While the same basic principle applies using three year assessment averaging, there are two differences in the calculation of taxes:

a) taxable value for individual properties is determined by averaging the land value component of the assessment over the current and two prior years and adding this average to the current assessed value of the property improvements.

   For properties with increases in land value above the average for the class, averaging restricts the growth in taxable value from year to year and, therefore, shifts taxes to properties experiencing smaller increases in value and to properties with declining values. Conversely, for properties with the largest decreases in assessed value, averaged taxable values will be higher than unaveraged values and these properties will pay more tax than they would if averaging was not utilized.

b) since averaging changes the total value in the class on which taxes are levied, the tax rate used to calculate taxes is adjusted to ensure that the same amount of tax is collected from the entire class as would have been the case had averaging not been used; that is, averaging is revenue neutral.

   From the perspective of the City, averaging is revenue neutral within the class being averaged, ie. no more tax revenue is collected with or without averaging. However, averaging does change the values of individual properties and, as a result, there are shifts of taxes among properties within the averaged class that are not present if averaging is not utilized.

There are a number of legislative and administrative criteria that are utilized in applying land value averaging to the assessment roll. These criteria are:

- Averaging may be applied to any property class except those valued by special rates (e.g. Class 02, Utilities; Class 04, Major Industry; and Class 09, Farm). As noted, Council has applied assessment averaging to Class 01 Residential and Class 06 Business & Other.

- Council has adopted a series of “filters” that determine whether a property is eligible for averaging. For example, properties that are vacant or have a change of use are not eligible in the current year. In the modelling included in this report, these properties have been filtered out of the sample.

- If Council adopts the averaging program, the levies of all taxing authorities must be averaged, not just municipal taxes, on a revenue-neutral basis. This means that the tax rate derived from averaging will produce the same amount of tax revenue as would be produced using unmodified values. Because averaging affects the values used for calculating the taxes of all taxing authorities, a decision to average a class requires Council to approve resolutions adjusting these rates to ensure revenue neutrality. This introduces one of the down-sides of averaging in that the City must bear any additional costs that arise from assessment appeals on properties that are averaged.

- Taxpayers must be notified that Council is considering the use of land assessment averaging and of the impacts on sample properties at least two weeks in advance of the adoption of the enabling by-law. This notice must be published in two consecutive issues of a newspaper, showing the resulting taxes on sample properties within the City. Averaging by-laws must be adopted before March 31, 2006.

- A separate Court of Revision is required to be held after the tax billing date if appeals to the application of the averaging by-law are received that cannot be dealt with administratively. An Averaging Court of Revision has not been necessary to date.

2. Modelling the Impacts of Averaging in 2006

Each year, BCAA updates the market value of properties in the City. For the City, increases in market value have no impact on property taxes because we factor out these changes at the class level when calculating tax rates. When market value in an entire class increases, the tax rate is adjusted down to generate the same base property tax levy.

However, for individual properties the impacts of market value change are very different. This is because changes in market value apply differentially among individual properties. Some decline, some increase and all at different rates. As a result, when the property tax rate is applied, a significant change in taxes can occur compared to the prior year.

The general principle is that where an individual property experiences a change in market value that is the same as the average for the class, there will be no change in taxes (prior to a Council-approved increase in the general tax levy). Where values change at a rate less than the average, taxes will decline and where the change exceeds the average, taxes will increase. It is the variability of these changes among individual properties that the averaging program is meant to address.

Modelling has been done to compare the impacts on 2006 general taxes using the pure market approach to the averaged value approach for Class 01 (Residential) and Class 06 (Business and Other). In reviewing the results of this modelling, the following should be noted:

- The modelling utilizes the Completed Roll recently produced by the BC Assessment Authority. These values reflect the best information available at this time and should come close to reflecting the 2006 property values for tax billing purposes that will be reflected on the Revised Roll produced in early April.

- The modelling has been completed for general purposes (municipal) taxes only. While averaging is applied to taxes levied by all taxing authorities, no information is currently available that would allow estimation of averaged tax rates that would apply. However, it can be expected that the number of properties impacted by averaging would be similar if the entire tax bill were modelled and the average change in taxes would be scaled up based on a larger tax bill.

- The sample used for the tax modelling is screened to exclude properties not eligible for land value averaging, including vacant land and reclassifications. It is not possible to duplicate the averaged roll produced by BCAA, however, the results illustrate the likely impacts the averaging program will have on tax changes in the property classes that are averaged.

The results of this modelling are set out in Appendices B to G as follows:

Appendix B: Distribution of Estimated Changes in 2006 Property Taxes With and Without Averaging - Class 1 Residential

Appendix C: Change in General Purpose Property Taxes By Neighbourhood With and Without Averaging, 2006 Versus 2005 - Class 1 Residential

Appendix D: Change in General Purpose Property Taxes For Average Property Per Neighbourhood With and Without Averaging, 2006 Versus 2005 – Class 1 Residential

Appendix E: Distribution of Estimated Changes in 2006 Property Taxes With and Without Averaging - Class 6 Business and Other

Appendix F: Change in General Purpose Property Taxes By Neighbourhood With and Without Averaging, 2006 Versus 2005 - Class 6 Business and Other

Appendix G: Change in General Purpose Property Taxes For Average Property Per Neighbourhood With and Without Averaging, 2006 Versus 2005 – Class 6 Business and Other.

The results of the modelling are as follows:

Residential Class

The Completed Roll indicates an overall increase in value for Class 01 Residential of 14.6%. Approximately 12.5% of this increase is related to changes in market value. The balance is either new construction or class transfers which do not affect the averaging program.

The Roll indicates that there continues to be a significant variance around the average (12.5%) market value change for many properties across the City, with some experiencing significant increases and other significant decreases. Without averaging, properties with an increase in value below approximately 12.5% can expect to see a reduced property tax bill (before a Council directed increase) while properties with an increase above 12.5% would see a tax increase.

The following table summarizes the impacts of averaging on property values and on tax rates in the residential class:

Assessed Values		**Tax Rate Per $000**	**Comments**
Market Value	$89.7 billion	$2.2413	• Taxable Value up 14.6% • Tax Rate reduced from 2.7896 in 2005 to generate the same tax levy as 2005.
Averaged Value	$80.6 billion	$2.4952	• Averaged Roll is 11.3% lower than Completed Roll. • Tax rate **up** 11.3 % from market rate to generate the same tax levy as the market value roll.

Appendices B, C and D demonstrate the impact of averaging for the class as a whole and by assessment neighbourhood.

The modelling shows that approximately 90,400 of 145,000 residential properties benefit from the application of averaging. That is, property taxes for these properties are lower using averaging than they would otherwise be, using non-averaged values. This is compared to approximately 57,700 properties that will pay higher taxes than they would if averaging was not applied. Most notably is that applying the three-year averaging option reduces the number of Class 01 properties with year-over-year tax increases of over 6% by about 23,000 properties.

Business Class

The Completed Roll shows an increase in value for Class 06 Business & Other properties of 16.2% over 2005. Of this, approximately 12.2% is related to market value change with the balance being generated by interclass transfers and new construction value.

Applying averaging to the land component reduces the total value of this class by 7.9% resulting in a slightly higher tax rate to ensure revenue neutrality. These changes are identified in the following table:

Assessed Values		**Tax Rate per $000**	**Comments**
Market Value	$17.4 billion	$13.9147	• Taxable value up 13.3% • Tax Rate down from 16.4410 in 2005 to generate the same tax levy as 2005.
Averaged Value	$16.1 billion	$15.0180	• Averaged Roll is 7.9% lower than Completed Roll. • Tax rate **up** 7.9 % from market rate to generate the same tax levy as the market value roll.

The modelling showed that approximately 4,800 of 10,400 properties in Class 06 benefit from averaging, paying lower property tax than they would using non-averaged values. Further, applying the averaging option reduces the number of Class 6 properties with year-over-year tax increases of 6% or more by over 875 properties.

The impacts of averaging for Class 06 are illustrated in Appendices E, F and G.

4. Recommended Option for 2006: Three Year Land Value Assessment Averaging for Class 01 and Class 06.

As noted above, the City has utilized three year averaging for 18 years and there exists a strong argument for applying land averaging continually from year to year, on the basis of consistency and equity. Selectively employing land averaging in certain years and not in others could either advantage or disadvantage individual properties, depending on the market circumstances.

The Director of Finance recommends that, if Council wishes to provide some mitigation for those properties with the largest increases in property value for the 2006 taxation year, three year land value averaging be applied to both Class 01 Residential and Class 06 Business & Other.

Recommendation A instructs the Director of Legal Services to prepare a bylaw to implement the averaging program for 2006. Should Council approve this recommendation, the City will advise taxpayers of this action through newspaper advertisements in a local newspaper on two consecutive days at least two weeks in advance of the bylaw being considered. Any input received from taxpayers will be heard at City Services and Budget Committee on March 23, 2006, at which time Council will be required to approve the bylaw if the averaging program is to proceed.

5. Production of the Averaged Roll

The use of averaging requires the development of an averaged assessment roll. Since 1993, the BC Assessment Authority has provided this roll to the City at a cost of approximately $20,000. The alternative would be for the City to duplicate the system design and programming work, using its own resources, to produce a similar product. Should Council approve three-year land averaging on March 23, 2006, Recommendation C authorizes the Director of Finance to contract with the Assessment Authority to produce the 2006 averaged assessment roll with funding provided from the 2006 Operating Budget.

CONCLUSION

Land value averaging benefits those properties with the highest tax increases in both the residential and business classes. In the current year, land value averaging benefits approximately 60% of the properties in the residential class, and 46% of the properties in the business class. The Director of Finance therefore recommends that three-year land value averaging be used as the basis for 2006 property taxes for Class 01 Residential and Class 06 Business and Other.

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SUMMARY OF MAJOR PROPERTY TAXATION POLICY DECISIONS SINCE 1989
CITY OF VANCOUVER

	CLASS 1 RESIDENTIAL	**CLASS 6 BUSINESS/OTHER**
1989	• Capped land value increases at 61%	• Capped tax increases at 40%
1990	• No adjustment to taxation methodology	• Capped tax increases at 10.1%
1991	• Capped tax increases at 5.5% • No limit on tax credit	• Capped tax increases at 7.5% • $400,000 limit on tax credit
1992	• Capped tax increases at 6.0% • $5,000 limit on tax credit	• Capped tax increases at 10.0% • $100,000 limit on tax credit
1993	• Implemented three-year land value averaging • Tax increases capped at 25% for select properties	• Implemented three-year land value averaging • Tax increases capped at 25% for select properties
1994	• Continued three year land value averaging • Tax increases capped at 10% for select properties • $500 limit on tax credit	• Continued three year land value averaging • Tax increases capped at 10% for select properties • $15,000 limit on tax credit
1995	• Continued three year land value averaging • No tax capping	• Continued three year land value averaging • Tax increases capped at 15% for select properties under a phasing out methodology • $10,000 limit on tax credit
1996	• Continued three year land value averaging • No tax capping	• Continued three year land value averaging • Tax increases capped at 20% for select properties under a phasing out methodology • $7,500 limit on tax credit
1997	• Continued three year land value averaging • No tax capping	• Continued three year land value averaging • Tax increases capped at 25% for select properties under a phasing out methodology • $5,000 limit on tax credit • Last year of tax increase capping
1998	• Continued three year land value averaging • Implementation of solid waste utility	• Continued three year land value averaging
1999-2005	• Continued three year land value averaging	• Continued three year land value averaging