



ADMINISTRATIVE REPORT

Report Date: August 17, 2012
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Meeting Date: September 18, 2012

TO: Vancouver City Council
FROM: Director of Finance
SUBJECT: 2013 Interest Rate on Property Tax Arrears

RECOMMENDATION

- A. THAT City Council set an interest rate of 7.00% for property tax arrears to be effective January 1, 2013.
- B. THAT the Director of Legal Services be instructed to bring forward a by-law regarding the 2013 interest rate on property tax arrears, for consideration by Council on or before September 30, 2012, in accordance with the provisions of Section 415(2) of the Vancouver Charter.

REPORT SUMMARY

The purpose of this report is to recommend an interest rate to be applied to property tax arrears for the year 2013.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

It has been Council practice to pass a by-law annually to set an interest rate for property tax arrears for the coming year, in accordance with the provision of Section 415(2) of the Vancouver Charter.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The City Manager ***RECOMMENDS*** approval of the foregoing.

REPORT

Background/Context

Section 415 of the *Vancouver Charter* provides that:

- (1) Unless otherwise provided by a by-law passed pursuant to subsection (2) hereof, interest at the rate of 8% per annum compounded annually shall be added to all real-property taxes that become delinquent on or after December 31, 1969, and to delinquent taxes and interest that remain delinquent after December 31, 1969.
- (2) Council may, from time to time, by a by-law passed not later than September 30 in any year impose interest to be compounded annually on real-property taxes which are delinquent in the calendar year following the enactment of such by-law. Such interest rate shall not be greater than 4 percentage points above the prime interest rate prevailing on July 31 of the year of its enactment as determined from the City's principal bankers.

Council has the following options:

1. Not pass a by-law and the rate would be default to 8%.
2. Pass a by-law to set a rate at prime plus a maximum of 4%.

It has been Council practice to set the rate on an annual basis, rather than leaving it static at 8%. Since 2000, Council has set the rate at 4% above prime resulting in rates ranging from 6.25% to 11.50%.

Strategic Analysis

Taxes which remain unpaid after December 31 of the year levied become tax arrears, and accrue interest effective January 1 the following year. Experience has shown that an interest rate set above what financial institutions are charging on loans encourages taxpayers to pay their outstanding taxes. An interest rate which is lower than market rates provides taxpayers with an incentive to defer payment of outstanding taxes in order to finance other expenditures. This puts the City in the undesirable position of acting like a bank or lending institution.

The bank prime rate is considered an indicator of the cost of borrowing for taxpayers. Interest rates charged by financial institutions on loans can vary depending on the nature and credit worthiness of the borrower.

*Implications/Related Issues/Risk (if applicable)**Financial*

Interest revenue on tax arrears over the last 5 years have ranged from \$0.9 to \$1.4 million and are results of both the amount of outstanding taxes and the interest rate. A 1% change in the interest rate has an impact of approximately \$150,000.

CONCLUSION

Establishing a sufficient differential between our rate and interest rates charged by financial institutions on loans encourages taxpayers to pay their property taxes. The recommended rate is still significantly less than most consumers are paying on outstanding credit card balances. The rate charged is one tool used by the City to manage property tax arrears. Management of the arrears is not only important to safeguard the financial assets of the City, but also because it is one of the factors that credit rating agencies look at when assessing the credit worthiness of the City.

As in prior years, it is recommended that Council establish the arrears interest rate following the movement of prime rate as it reflects current economic conditions. The prime rate on July 31 was 3.00% and accordingly, the proposed 2013 rate would be 7.00% per annum, unchanged from the 2012 arrears interest rate of 7.00%.

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