



IN-CAMERA

ADMINISTRATIVE REPORT

Report Date: April 25, 2018
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RTS No.: 12550
VanRIMS No.: 08-2000-21
Meeting Date: June 5, 2018

TO: Vancouver City Council
FROM: Director of Finance
SUBJECT: Appointment of Vacancy Tax Review Panel Members

IN CAMERA RATIONALE

This report is recommended for consideration by Council on the In Camera agenda as it relates to Section 165.2(1) of the *Vancouver Charter*. (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the city or another position appointed by the city.

RECOMMENDATION

THAT Council appoint the following individuals selected by City staff from the roster agency Alternative Dispute Resolution Institute of BC, to the Vacancy Tax Review Panel:

Bradley Don Gehring	Marco Francesco Lilliu
Kevin Ian Peddie	Glen W. Bell
Stacey Rae Rose	Gerald Peter Molnar
Paul Choi	Gary Steven Snarch
Elton de Castro Simoes	Hugh S. McCall
Brin Hamilton	Sidney Steven Antle
Derek Te Hsi Yang	Fazal Bhimji
Diane Elaine Tucker	Elaine Tara McCormack
Davinder Bains	David Sik Chong Ngai
Christopher M.Semak	Catherine Anne Knapp
	Michael Terrance Boulet

REPORT SUMMARY

The Vacancy Tax By-Law requires Council to appoint a Vacancy Tax Review Panel to administer reviews in accordance with the provisions of the by-law. To create independence from the complaints process which is administered by the Vacancy Tax Review Officer previously appointed by Council, the City has engaged Alternative Dispute Resolution Institute of BC (ADRBC), as a roster agency to provide panelists with arbitration designations. By selecting a panelist from the roster of ADRBC, the City is assured of the panelist's commitment to upholding ADRBC's Code of Conduct and Code of Ethics and a valid designation that indicates the practitioner's degree of skill and experience as a professional in the field.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

The Vancouver Charter, Section 617(i), requires the Vacancy By-law to "provide for a process to hear and determine complaints respecting the imposition of a vacancy tax, including providing for a review process for determinations of complaints."

The Vacancy Tax By-Law No. 11674, Section 1.2(c), defines the vacancy tax review panel to mean "the panel appointed by Council to administer reviews in accordance with the vacancy tax review provisions of this by-law."

The Vacancy Tax By-Law No. 11674, Sections 6.10 through 6.15, establishes the structure of the Vacancy Tax Review Panel that must make a determination on the review, advise the registered owner in writing of its determination, and if the review request is successful, rescind the vacancy tax notice.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

The City Manager recommends approval of the foregoing.

REPORT

Background/Context

On November 16, 2016, Council endorsed the implementation of a City-administered program to levy an annual tax on empty homes and enacted the Vacancy Tax By-law. The Vacancy Tax came into effect starting January 2017, with an annual reference period of 12 months. The first Vacancy Tax notices were issued in March, 2018.

Under Section 6 of the Vacancy Tax By-law a homeowner may dispute the notice by submitting a complaint to the Vacancy Tax Review Officer on the grounds there was an error or omission made by either the City or the homeowner. Based on information and evidence provided by the homeowner, the Vacancy Tax Review Officer will make a determination of the complaint. If the complaint is rejected then the owner may ask for the complaint determination to be reviewed by the Vacancy Tax Review Panel. The determination of the Vacancy Tax Review Panel is final.

To create independence from the complaints process, the City has engaged ADRBC as a roster agency to provide panelists with arbitration designations. By selecting a panelist from the roster of ADRBC, the City is assured of the panelist's commitment to upholding ADRBC's Code of

Conduct and Code of Ethics and a valid designation that indicates the practitioner's degree of skill and experience as a professional in the field.

Review Panelists must be appointed by Council prior to scheduling adjudication sessions in June 2018. Volumes of work will fluctuate with the number of complaints generated by the Empty Homes Tax program. The City has selected 21 adjudicators from the ADRBC's roster to manage the expected workload and facilitate scheduling. This is based on the following assumptions:

- 500-600 review panels per year.
- Each request for a review will be appointed to a single individual from the Review Panel.
- In order to achieve consist review outcomes, peer review of determinations will take place, at least in the initial stages of Review Panel operations.
- Expansion of the roster in the future will be subject to review and based on volumes and experience in 2018 year.

Individuals recommended for appointment are as follows:

Bradley Don Gehring	Marco Francesco Lilliu
Kevin Ian Peddie	Glen W. Bell
Stacey Rae Rose	Gerald Peter Molnar
Paul Choi	Gary Steven Snarch
Elton de Castro Simoes	Hugh S. McCall
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CONCLUSION

The Vacancy Tax By-Law requires Council to appoint a Vacancy Tax Review Panel. It is recommended that Council approve the appointment of the above listed individuals, selected by the City from the ADRBC's roster of accredited professionals. Appointment of a Review Panel that is external to the City, supports the success of the new Empty Homes Tax program, and helps ensure an impartial review process

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