

2003-04 Linear Complaint Workshop

The Municipal Government Board (MGB) held its fourth annual linear client group workshop on Wednesday, October 15, 2003 in Red Deer. Over the last three years the workshops have focused on working with clients to identify opportunities to improve and refine the practices and procedures of the MGB. More specifically, discussions took place on streamlining MGB operations and processes to more efficiently and effectively schedule, hear and decide linear complaints. The resulting improvements that took place over this period has led to better service being provided to client groups, through better communication between parties, and improved and more timely services by the MGB.

This year the objectives of the workshop continued with the theme of improving the processes. Early in the workshop, action on major complaints was identified as being the most important to participants. Following a recommendation from one of the client groups, consensus was reached to focus discussions on these complaints. Major complaints are also often called complex or substantive complaints.

In attendance at the workshop were representatives from the oil and gas industry, the Alberta Assessors' Association, the legal community, tax consultants/agents and government. This is the best turnout to date as a total of thirty-four people attended the workshop. This was also the first year that the workshop took place prior to the start of the new assessment and complaint year and the first time that a winter storm did not curtail attendance.

Historical Facts

The MGB outlined the following historical facts:

- Overview of complaint volume in previous years (see chart 1).
- Status of complaints 1999 to 2003 (see chart 2).
- Between 1999 and 2003 the number of complaints has increased steadily from 9,000 to 16,000 PPI-IDs under complaint. Prior to 1999 the average number of linear complaints was approximately 6,000.
- In 2003 the MGB continued to initiate resolution of these complaints through formal hearings. This started with two weeks of inventory hearings that began in late May of 2003.
- At the conclusion of the inventory hearings 10,000 complaints were withdrawn or resolved. The remaining 6,000 were deemed by the parties to be complex in nature.
- The 6,000 PPI-IDs were scheduled in 10 separate hearings for periods of 1 day to 15 days in duration. Two of the hearings are set for spring of 2004.
- The majority of complaints continue to be filed by tax consultants (see chart 3).

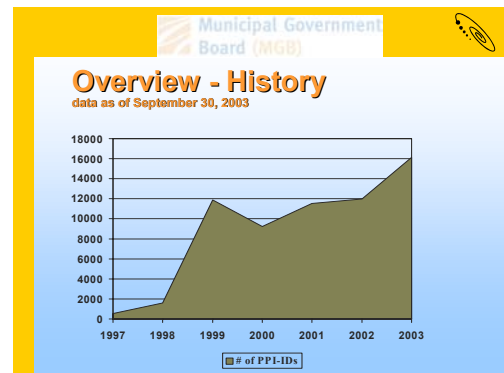


Chart 1

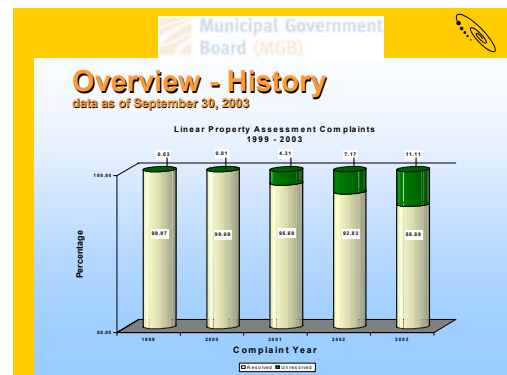


Chart 2

Last year's results and progress

- Approximately 90% of all 2003 complaints were submitted electronically to MGB.
- A new MGB policy was implemented to make it easier for municipalities to obtain Municipal Intervenor status. Municipalities no longer require a Council motion to intervene on properties under complaint that are located within their boundaries. When the MGB receives notice of a Municipality's intent to participate as a party to a complaint, the MGB automatically recognizes its intervenor status on that complaint.

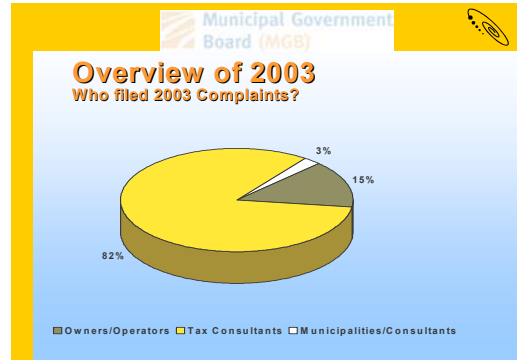


Chart 3

2004 Action on Complex Complaints

At the workshop the Designated Linear Assessor (DLA) put forward the recommendation that the MGB schedule, as soon as possible, preliminary hearings for all complex complaints. The basis of the DLA's position is that it believes that all complaints on properties that do not deal with inventory corrections are considered complex issues. Complaints qualifying for inventory corrections are: *ownership, municipal allocation, "not built" property, or permitted/operational pipeline*. The DLA proposed that all non-complex issues be dealt with directly between the parties without MGB involvement. The MGB can then focus on scheduling and hearing complex complaints.

Discussion by workshop participants followed and a general agreement was reached for the MGB to move quickly in scheduling complex complaints and leaving it to parties to resolve inventory complaints without MGB intervention. Therefore, the MGB was asked to initiate preliminary hearings within 30 days of receiving complaints. This would allow exchanges to take place and hearings being held prior to the start of the next assessment year. All complex complaints would follow this 30-day scheduling process. This process would include also any inventory type of complaints where the parties could not reach an agreement on the assessments under complaint.

In response to the question of how the MGB was to enforce its scheduling initiatives, the participants stated that the MGB must begin to use its authority and award the payment of costs by those parties who abuse the complaint process. Parties were clear that in instances where parties are obviously or intentionally delaying or not complying with the process, costs are to be awarded to the other party.

Plans and dates for 2004

- All 2003 complaints are to be heard prior to 2004 linear complaint hearings.
- Expected deadline for submitting 2004 complaints is March 17, 2004.
- Preliminary hearings for complex complaints will start as soon as possible (April 19/04).
- In January 2004 the MGB will issue another newsletter with further details on the 2004 linear complaints process.

The MGB wishes to thank all parties for their attendance and constructive input.

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