

## Request for Decision

### Tax Adjustments Under Sections 357 and 358 of the Municipal Act

Presented To:	City Council
Presented:	Tuesday, Oct 17, 2017
Report Date	Friday, Sep 08, 2017
Type:	Routine Management Reports

#### Resolution

THAT the City of Greater Sudbury strikes the amount of \$26,214.78 from the tax roll, as outlined in the report entitled "Tax Adjustments Under Sections 357 and 358 of the Municipal Act" from the General Manager of Corporate Services, presented at the City Council meeting on October 17, 2017;

AND THAT staff be directed to prepare a by-law.

#### Relationship to the Strategic Plan / Health Impact Assessment

This report refers to operational matters.

#### Report Summary

Sections 357 and 358 of the Municipal Act authorize the cancellation, reduction and/or refund of property taxes under certain circumstances. These may include fire/demolition, change in tax class, tax exemption, or gross or manifest error.

With the assistance of the Municipal Property Assessment Corporation the Finance Division verifies applications, calculates the tax adjustment and amends the tax roll accordingly.

Applications are reported to City Council for approval on a regular basis.

#### Financial Implications

Of the total taxes to be struck from the tax roll, the City's portion is \$19,713.42. This amount as well as previous amounts struck from the roll for 2016 is within the budget amount for tax write offs.

#### Signed By

**Report Prepared By**

Tony Derro  
Manager of Taxation  
*Digitally Signed Sep 8, 17*

**Division Review**

Ed Stankiewicz  
Executive Director of Finance, Assets  
and Fleet  
*Digitally Signed Sep 26, 17*

**Financial Implications**

Ed Stankiewicz  
Executive Director of Finance, Assets  
and Fleet  
*Digitally Signed Sep 26, 17*

**Recommended by the Department**

Kevin Fowke  
General Manager of Corporate  
Services  
*Digitally Signed Sep 26, 17*

**Recommended by the C.A.O.**

Ed Archer  
Chief Administrative Officer  
*Digitally Signed Oct 2, 17*

## **Background**

Sections 357 and 358 of the Municipal Act provide the authority for the cancellation, reduction or refund of realty taxes.

### **Section 357**

Section 357 authorizes the cancellation, reduction or refund of realty taxes in the current year for such reasons as change in rate of taxation, change in tax status, fire/demolition or gross error. Section 357 applications are verified by the Municipal Property Assessment Corporation and processed by the municipality.

### **Section 358**

Section 358 of the Municipal Act authorizes the reduction of realty taxes for clerical errors such as errors in key punching, transposition of figures or mathematical calculations. Such errors occur with the preparation of the assessment roll and are confirmed by the Municipal Property Assessment Corporation prior to the tax adjustment by the municipality. Section 358 applications are limited to the two (2) taxation years prior to the year in which the error(s) was made.

The Treasurer's recommendations for the cancellation, reduction or refund of realty taxes under the Municipal Act are presented to Council for approval. Attached for Council's information and action is Schedule A, summarizing the tax adjustments by authority, reason and amount.

The Municipal Act provides for a notification/appeal process for property owners that have applied for a tax adjustment. Notices were sent to property owners on or before August 11, 2017 and all queries/concerns were addressed by the Tax Department and none of the applicants have requested an appearance before the Hearing Committee of Council.

**SCHEDULE 'A'**  
**APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS**  
**UNDER SECTIONS 357/358 OF THE MUNICIPAL ACT**  
**October 17, 2017**

<i>Reason for Adjustment</i>	<i>Applications</i>	<i>Municipal Portion</i>	<i>Education Portion</i>	<i>BIA</i>
Fire or Demolition	14	\$ 9,854.62	\$ 1,711.20	\$ -
Class Change	6	\$ 7,168.18	\$ 4,389.46	\$ -
Gross or Manifest Error	4	\$ 44.35	\$ 23.12	\$ -
Exempt	4	\$ 2,646.27	\$ 377.58	\$ -
<b>TOTAL:</b>	<b>28</b>	<b>\$ 19,713.42</b>	<b>\$ 6,501.36</b>	<b>\$ -</b>