



# News Release

For Immediate Release

December 6, 2017

## Large Backlogs Mean Long Delays for Property Owners Awaiting Board Decisions: Auditor General

(TORONTO) The two provincial tribunals that hear appeals of property-assessment and land-use issues are both dealing with a large backlog of cases that could take years to clear up, Auditor General Bonnie Lysyk says in her *2017 Annual Report*, tabled today in the Legislative Assembly.

“The Province needs to move quickly to resolve these backlogs,” Lysyk said after her Report was tabled. “Behind every appeal in the backlog is a property owner who needs clarity on what their property assessments will be, or what the decisions will be on land use.”

The audit focused on operations of the Assessment Review Board and the Ontario Municipal Board, both part of Environment and Land Tribunals Ontario.

The **Assessment Review Board** (Review Board) hears appeals from property owners mainly about residential and non-residential property assessments by the Municipal Property Assessment Corporation (MPAC). MPAC’s assessments are used by municipalities to determine how much property tax an owner must pay. If owners want to dispute the assessments, they can appeal to the Review Board.

Despite a decrease since 2009 in the total number of appeals it received, the Review Board still had a backlog as of March 2017 of about 16,600 unresolved appeals.

The Report also highlighted concerns with the fact that 80% of decisions were oral, as opposed to written, and as such are not subject to peer review.

The **Ontario Municipal Board** (Municipal Board) hears appeals primarily related to land-use planning matters, such as amendments to municipalities’ Official Plans and zoning bylaws, and minor variances.

In 2016/17, the Municipal Board scheduled only 44% of minor-variance cases for a hearing within 120 days of receiving the appeal, well below its target of 85%. For complex cases that were closed in 2015/16 (the most recent data available), appeals took between 10 months and almost seven years from case received to case closed.

One major concern expressed by some municipalities was that the Municipal Board may have exceeded its jurisdiction by overturning sections of the municipalities’ Official Plans. Several municipalities also told us that they spent millions of taxpayer dollars to defend their Official Plans, which had already been approved by their elected councils and the Province.

(Legislation was pending at the end of 2017 to change the name of the Municipal Board to the Local Planning Appeal Tribunal and make it more affordable and accessible to Ontarians.)

-30-

For more information, please contact:

Bonnie Lysyk  
Auditor General  
(416) 327-1326

Visit [www.auditor.on.ca](http://www.auditor.on.ca) to read the Report.

 @OntarioAuditor