

## Property Assessment Appeal Board Online Dispute Resolution Terms of Use and Timelines

The parties agree to the following terms of use for Online Dispute Resolution (ODR):

### **Purpose of ODR:**

The purpose of ODR is to reach mutual agreement. It is important that the parties collaborate and cooperate with each other and have an open and honest discussion.

### **Participation Responsibilities:**

In order to allow for productive discussions, the parties should follow these guidelines:

- Early in the discussions, upload any relevant documents to the ODR platform.
- Respond to the other party’s questions and online discussion in a timely manner (normally within 1 to 2 business days).
- Communicate in a respectful tone and avoid “getting personal”. This will promote a good atmosphere for reaching mutual agreement. Also see the below, nature of online discussions.
- You start with 2-way online discussions between yourself and BC Assessment. As soon as the online discussions stall or you want an independent opinion, request the assistance of a Board facilitator.
- Complete the steps in the timeframe indicated in the below timelines table.
- If the other party does not participate in a timely manner, please request the assistance of a Board facilitator.

Steps in the ODR online tool	By when
<b>Both parties:</b> Board gives you sign-on instructions to the ODR website to start online discussions	In April or May
<b>BC Assessment:</b> attaches the Property Valuation Summary	In first 3 days
<b>Appellant:</b> details concerns with the assessment, and uploads any relevant documents, invoices, applications, etc.	In first 5 days
<b>BC Assessment:</b> responds and includes their position on the issues and any relevant documents	In next 5 days
<b>Both parties:</b> Further resolution discussions and sharing of documents	In next 5-7 days
<b>Both parties:</b> can request the assistance of the Board facilitator	At anytime
<b>Board facilitator:</b> will enter into online discussions to assist the parties. If not resolved, will set deadlines for adjudication (usually parties prepare written submissions)	In 2-3 weeks from start
<b>Both parties:</b> Complete a feedback survey on ODR	3 days later
<b>Both parties:</b> If the appeal is not resolved, parties prepare and upload their documents for another Board member to make a formal decision	6-8 weeks

Notes on timelines:

1. We will start as soon as possible depending on when the Board receives the appeal.
2. You are encouraged to complete these steps as soon as practical. If one party finishes early, the other party should respond as soon as possible (which might be quicker than indicated in the above timetable).
3. If required, either party can request the Board extend these timelines.
4. The “Appellant” is the person who filed the appeal (often the property owners).

**Confidential and Without Prejudice:**

ODR discussions are confidential and without prejudice.

*Confidential* means the parties may not disclose the discussions or documents to persons not involved in the appeal, and may not use any documents for purposes not related to the appeal.

*Without prejudice* means if the appeal is not resolved, you may change your position. You cannot use the other party’s offer to settle.

You also cannot use the other party’s documents unless they agree or the Board allows you to use them. The Board may allow you to use any document that may be relevant. You can write to the Board to ask permission.

Examples of what you can use as part of your evidence from the ODR discussions and documents provided by the other party while you are trying to reach agreement:

You can use:

- sales provided by the other party;
- assessment information on your property and other properties;
- details on your and other properties (such as size, type of buildings and other details on the properties).

What you cannot use:

- offers to settle the appeal or opinions on the value of the property;
- opinions or comments from the Board facilitator;
- opinions on how comparable properties are (e.g. whether it is “superior”, “inferior” or “similar” to the property under appeal).

**Personal Information:**

You will access your appeal in the ODR website. The ODR case will include your name, email address, phone number, the property you are appealing, and any online discussions that you enter and any documents that you upload.

The following people will have access to this information:

- The parties directly involved in your appeal (such as BC Assessment);
- The Board to administer your appeal;
- The Board’s facilitator who may join your online discussions, if required; and
- As the Board licenses the ODR software, the Justice Education Society in BC who may require access to maintain the software.

You should be aware that your personal information (as described above) is being collected under section 26 of the *Freedom of Information and Protection of Privacy Act* for the purposes of administering your property assessment appeal in the Online Dispute Resolution website.

If you have any questions regarding the collection of personal information, please contact the Registrar:

Registrar  
Property Assessment Appeal Board  
1270 - 605 Robson Street  
Vancouver, BC, V6B 5J3

Phone: 778 572-2509; Toll free: 1-888-775-1740  
Email: [jason.bowman@paab.bc.ca](mailto:jason.bowman@paab.bc.ca)

### **Nature of online discussions**

Parties should detail their position and upload support documents. All discussions between the parties and the Board should occur in the ODR website.

To encourage mutual agreement, the parties should strive to have a full and open discussion. However, the parties are not required to respond (and provide justification) to every objection or complaint raised by the other party. Some issues may not be relevant. For example, our Board does not have jurisdiction to deal with the conduct of the first level of appeal or the conduct of BC Assessment. We are solely concerned with the accuracy and consistency of the assessment. This is a forum for trying to resolve this appeal. It is not formal adjudication or a hearing.

Likewise, the Board does not require the parties to answer extensive cross-examination type questions and justify each and every point they make with evidence. Some clarification for your positions on the appeal issues and support will definitely help resolve the appeal. However, we do not expect the parties will have the time and resources to answer and support each and every detail.

On the other hand, we do encourage you to have an open discussion and not hold back information that you might use later. This will greatly assist in reaching mutual agreement.

The Board facilitator may remove an appeal from ODR and schedule adjudication in certain circumstances, such as:

- It is unlikely you will reach agreement;
- The parties are being disrespectful in the online discussion; or
- The parties are going beyond the purpose of ODR and turning the conversation into cross-examination.

Please email [office@paab.bc.ca](mailto:office@paab.bc.ca), if you would like feedback on what is reasonable at this resolution stage.