

## **Property Taxation Act**

### **Summary:**

The *Property Taxation Act* authorizes TFN to levy and collect property taxes from individuals and businesses living on or conducting business on TFN lands. The Act sets out who is required to pay property taxes, the method by which the taxes are calculated, the rules for their collection and the rules for their expenditure. In accordance with the Treaty Final Agreement and Side Agreements, Tsawwassen Members who own property on Tsawwassen Lands are exempt from paying property taxes on those properties for a period of 12 years from the date that the Treaty came into effect (until 2021).

### **Administration:**

The *Property Taxation Act* requires that a tax administrator be appointed by the Executive Council who is responsible for the administration of the Act. The Tsawwassen Property Taxation Authority (a Tsawwassen public institution) provides non-Member residents on Tsawwassen Lands to participate in decision making around property taxation related matters that directly and significantly affect them. The Property Taxation Authority consists of three members of the Executive Council and at least one representative of the non-Member residents.

### **Property assessment:**

Taxes are levied against the assessed value of land and improvements. The *Assessment Act* (BC) applies on Tsawwassen Lands and the BC Assessment Authority is responsible for valuing Tsawwassen Lands and improvements on Tsawwassen Lands for the purposes of levying and collecting property taxes.

### **Property taxation budget:**

The Act requires that there be an annual property taxation budget in order for TFN to raise and expend property tax revenues. The property taxation budget is prepared in accordance with the TFN *Financial Administration Act* and the revenues raised under the *Property Taxation Act* are included in the general revenue fund. Property taxation revenues that are used for the provision of local services are allocated to a local revenue account, a special account within the general revenue fund.

### **Provincial taxing authorities:**

The TFN property taxation budget will include amounts required to be raised for provincial taxing authorities. TFN will collect taxes on behalf of provincial taxing authorities (Greater Vancouver Regional District, South Coast British Columbia Transportation Authority etc.) based on requisitions received from these authorities.

### **School Tax**

TFN property taxes will include an amount equal to the amount BC would collect for payment to Delta School District #37.

### **Levy of taxes:**

By May 28<sup>th</sup> of each year the Executive Council, with the prior approval of the Property Taxation Authority where required, will, by regulation, set the rate of tax to be applied against the different categories of assessed property (residential/commercial/industrial etc.) in order to

raise the money needed to meet the property taxation budget. The tax administrator shall create a tax roll and send a tax notice to each taxpayer setting out the amount of taxes to be paid by the taxpayer on or before June 1<sup>st</sup>. Taxpayers will have until July 2<sup>nd</sup> to pay their taxes to the TFN government.

**Exemptions:**

Some property is exempt from property taxation. The *Property Taxation Act* sets out which properties must be exempted (such as property owned by TFN Government or another government and which are generally exempt within the Province of BC) as well as property that may be exempted by the Executive Council with the approval of the Property Taxation Authority where required (permissive exemptions). Permissive exemptions are available to bodies such as charitable organizations and public authorities, and can be for a variety of public purposes, including special economic development zones. Permissive exemptions are set and confirmed annually by regulation of the Executive Council.

**Home Owner Grants:**

Some taxpayers may be entitled to a grant from TFN. The Executive Council, by regulation, will provide for a grant to persons who would be entitled to a grant under the provisions of the *Home Owner Grant Act* (BC) if the person's property was subject to taxation by a local government. Subject to approval by the Property Taxation Authority, the Executive Council may by regulation provide for a grant to residents in financial hardship.