

October 9, 2012

To: His Worship the Mayor
and Members of City Council

Re: Tax Enforcement - Application for Title - 2012 Liens

**RECOMMENDATION OF THE FINANCE AND ADMINISTRATION COMMITTEE
- OCTOBER 2, 2012**

1. That the Manager of Property Taxation be authorized to serve six month notices on all parcels of land included in the list of lands marked as Appendix A.

FINANCE AND ADMINISTRATION COMMITTEE – OCTOBER 2, 2012

The Committee adopted a resolution to concur in the recommendation contained in the report.

Councillors: Louis Browne, Sharron Bryce, Terry Hincks, and Wade Murray were present during consideration of this report by the Finance and Administration Committee.

The Finance and Administration Committee, at its meeting held on October 2, 2012, considered the following report from the Administration:

RECOMMENDATION

1. That the Manager of Property Taxation be authorized to serve six month notices on all parcels of land included in the list of lands marked as Appendix A.

CONCLUSION

The properties listed in Appendix A to this report have, based on a 2012 tax lien, an interest registered by the City of Regina at the Land Registry and have outstanding tax arrears. Upon City Council approval, the Administration will proceed with the tax enforcement proceedings and serve six-month notices after October 12, 2012 on the properties where the arrears of taxes have not been paid and the interest based on the tax lien has not been discharged.

BACKGROUND

The purpose of this report is to obtain approval to serve six-month notice after October 12, 2012 on properties where the City of Regina placed an interest in 2012 through registration of a tax lien for tax arrears, where the arrears of taxes have not been paid and the interest based on the tax lien has not been discharged.

DISCUSSION

City Council approval to proceed under Section 22, Subsection 1 of *The Tax Enforcement Act* is requested to serve six-month notice on the 242 properties listed in Appendix A to this report. Section 22, Subsection 1 reads in part as follows:

“At any time after the expiration of six months from the date on which the municipality’s interest based on a tax lien was registered in the Land Titles Registry, the municipality may, by resolution, authorize proceedings to request title to any parcel included in the list with respect to which the arrears of taxes have not been paid and the interest based on the tax lien has not been discharged...”

The steps taken prior to proceedings for title for the typical property listed on the attachment are as follows:

1. Taxes on the property were due and payable on June 30, 2011.
2. Taxes were in arrears as of January 1, 2012.
3. The properties were advertised in the Leader Post on February 4, 2012.
4. Interests, based on a tax lien, were registered on the various title(s) to the properties at the Land Registry between April 11, 2012 and April 25, 2012.

In all cases, the market value of these properties exceeds the value of tax arrears, thus prompting the owner or a financial institution with an interest in the property to pay the tax arrears prior to the City actually taking title.

The next steps in the process are:

1. First application for title (which is pursuant to this resolution).
2. After a required six month waiting period, Provincial Mediation Board consent would be required prior to final application for title.

The City of Regina will not necessarily take title to the property after the six-month period. The City has the right to pursue any and all other means to collect the outstanding arrears as allowed by *The Cities Act*, including but not limited to, civil suit, seizure of rents and/or seizure of goods and chattels.

RECOMMENDATION IMPLICATIONS

Financial Implications

Allowances are established at the end of each year for outstanding taxes, with the allowance reflected in year-end results.

Environmental Implications

There are no environmental implications directly related to this report. In most instances, the taxes are paid for properties where application for title is made. In those instances where the City has to proceed to possibly taking title, the City would undertake a review of the environmental implications and make a decision on a case by case basis as to whether to proceed to take title or not. Every effort is made to minimize the cost to the City.

Strategic Implications

The authorization to serve six month notices to the properties listed in Appendix A allows for timely and efficient tax enforcement.

Other Implications

None with respect to this report.

Accessibility Implications

None with respect to this report.

COMMUNICATIONS


The City has an active process of communicating with property owners with respect to outstanding taxes. Property owners are notified throughout the tax enforcement process and will continue to be notified as required by the legislation.

DELEGATED AUTHORITY

This report must be forwarded to City Council.

Respectfully submitted,

FINANCE AND ADMINISTRATION COMMITTEE



Todd Blyth, Secretary