

Assessment Process:

Assessment Services Agreement

There is a third party "arms length from TteS" assessment agreement between the BC Assessment Authority (BCA) and Tk'emlúps te Secwépemc (TteS) for assessment services on TteS reserves: Kamloops 1, 2, 3, 4, 5.

Assessment Inspections

For a fair and accurate assessment of a property to be determined, a BCA assessor may decide to inspect a property. An inspection ensures that all characteristics of the property that affect the assessment are considered when the assessor determines a property's value. All newly-constructed properties should be inspected and existing properties need to be reviewed from time to time as it may change over a period of time.

Assessment Roll

After the assessed values of all properties on a First Nation's land have been determined, and the properties have been placed in appropriate assessment classes, the assessment roll is created. The *First Nations Management Act* (FMA) legislation requires each participating First Nation to annually produce an assessment roll. BC Assessment Authority (BCA) provides the Completed Roll in January and a Revised Roll in April. Supplementary Rolls to address the construction of new properties, changes in property use, etc.

Assessment Notices

Assessment notices are created from the information on the assessment roll. The assessment notice is the document that BCA sends to property owners or taxpayers to tell them about the assessment of the property. The assessment notice must conform to the format set out in the Tax and Assessment Laws and First Nations Tax Commission (FNTC) standards. BCA issues Assessment Notices on or before December 31 annually.

Reconsideration of Assessment

As an efficient alternative to launching a formal appeal, taxpayers are encouraged to use a mechanism called a *request for reconsideration of assessment*. A request for reconsideration is where a taxpayer asks an assessor to reconsider the original assessment. Taxpayers have a 30 day from the time the assessment notices are mailed to make a request for reconsideration. In this process, the assessor reviews the assessment of the taxable property in question and provides the taxpayer with the results of the reconsideration (valuation, classification, errors, omissions, exemptions). There is no charge for a reconsideration of assessment.

Annual Tax Cycle

Assessment Appeals

Assessment Appeals ensure property owners have a voice in the property assessment system. The assessment laws set out a comprehensive appeal process for all property owners on the First Nation's lands. The assessment law provides an information appeal process with the assessor and a more formal appeal procedure with an Assessment Review Board. These procedures are similar to assessment appeal procedures used across BC. The process ensures appeals are conducted in an efficient, timely, and fair manner. Taxpayers have 60 days from the time the assessments notices are mailed to make an assessment appeal. There's a \$30 administration charge per appeal per property. Details on how to file an appeal may be found on the back of the assessment notice. For any assessment inquiries to the BCA local office, please call 250-376-6281. Appeals may be sent to:

BC Assessment Authority
805 Renfrew Ave.
Kamloops, BC V2B 3X3

Assessment Review Board

Similarly to the Province, there is a formal appeal process to deal with assessment appeals. The Assessment Review Board considers and determines all recommendations from the assessor, and hears and determines assessment appeals under the *Kamloops Indian Band Property Assessment Law, 2008*. The Assessment Review Board consists of one lawyer, one former assessor, and one band member.

Budget & Rate Setting:

Setting the Budget and the Tax Rate

The process of setting a government budget is determined by rationally connecting expenditures to revenues raised through property taxes and other sources. Under the FMA, property tax budgets must be balanced.

The following formula is used to establish the budget:

Budget = total Assessed Value for Each class x Rates for each Class

After budgetary requirements are established for the year, Council determines the amount of money needed to operate their soft services. From this the amount the Council then subtracts known revenue. The remainder is the amount of revenue needed to raise through property taxes in order to provide programs and services for the year.

The revenue requirements is divided by the assessment base to determine the tax rate. The assessment base is the total of all assessed properties on the First Nation's lands, and the tax rate is a percentage of the assessed value at which each property is taxed.

The Tax Rate is applied to each individual property assessment using the following formula to yield taxes payable:

Property Assessment x Tax Rate/\$1000 of Assessed Value = Taxes payable

Tax rates may be adjusted on a yearly basis depending on its revenue requirements. Tax rates are set for different classes of property depending on the property tax law.

Annual Tax Cycle

*** Note that we are using the adjacent municipal tax rate for Sun Rivers (as per the Master Development and Servicing Agreement between Kamloops Indian Band and Sun Rivers Development Corp.)

Annual Tax Rates and Expenditure Laws

After determining its budgetary requirements and corresponding tax rate for the year, under the FMA the First Nation must give notice to and pass an annual tax rates law and expenditure law. These laws are approved by Chief & Council and then by the FNTPC to become laws. Tax Rates are comparable to adjacent property tax jurisdiction. Expenditure laws identify how property tax revenue will be spent. Approved laws are published in the First Nations Gazette.

Property Tax Collection:

Tax Notices to property owners or occupiers

Each year, tax notices are issued to each holder of an interest in land subject to tax, and to each person whose name appears on the assessment roll. Tax Notices are mailed on or before July 2 of each calendar year.

Tax Payment

The final tax payment due date is August 2 of each calendar year

Tax Collection and Enforcement

On August 3 of each calendar year, a 10% penalty is applied to unpaid tax accounts. Interest begins to accrue on unpaid taxes on September 2 of each calendar year. Conditions and procedures for collection enforcement of unpaid taxes is set out under the FMA tax laws. Regarding outstanding tax accounts, tax payers may contact the Collections Officer in the Finance Department at 250-828-9793.