

## **Policy for Vacancy Rebate Program in Blandford-Blenheim**

**In accordance with Section 442.5 of the Municipal Act and Ontario Regulation 325/01 and Township By-law #1366-2002**

### **Principles and Processes**

1. Any commercial or industrial property owner or their authorized agent may file an application under this policy.
2. (a) The onus rests with the owner to provide full evidence of vacancy and to file an application that is complete. Information supplied on the application form shall be considered to be the minimum. Completed applications shall include all information as noted on the application form which including a sketch of the building(s) plus the accompanying questionnaire.  
(b) The Treasurer is authorized to direct submission of additional information if, in the opinion of the Treasurer, the application does not conclusively provide evidence of vacancy. Failure to submit additional evidence of vacancy as required by the municipality within 5 business days of the request of same by the municipality invalidates the application and the Treasurer shall reject the application.
3. Up to two applications per year may be filed by a taxpayer, one for the first six months of the year and one for the last six months of the year or alternatively, one application may be filed by the taxpayer for the whole of the year.
4. Applications will be processed after December 31<sup>st</sup> of each year.
5. All applications must be filed after the period of vacancy and at no time shall the Treasurer process an application during or before the time of vacancy.
6. Applications filed after the last day of February of the year following the year of full or partial vacancy shall be rejected.
7. An incomplete application filed during the application period shall be deemed not to be filed until all minimum evidence in support of the application is received.
8. The Treasurer of the municipality is hereby directed to receive and process all applications for vacancy on behalf of the municipality.
9. The Treasurer may authorize other municipal staff to act on his/her behalf.
10. At the sole discretion of the Treasurer, investigations and inspections of the property may be conducted to ascertain the validity of an application. Persons authorized to carry out the inspection are listed in By-law 1366-2002.

11. Types of evidence to be considered for validation may include but are not limited to:
  - Utility records
  - Tenant or lease agreements (both outgoing and incoming)
  - Declared income for rental properties
  - Correspondence relating to agreements for usage
  - Mailing, telephone, delivery records
  - Plan or layout of vacant area, other related buildings
  - Zoning information
  - Sworn affidavit of the application authorizing that the information included on the application form and questionnaire is true and correct.
12. The Treasurer is directed to audit a representative selection of applications, giving consideration to size of property, complexity of application, and other circumstances which cast doubt on the validity of the application. The audit shall consist of examination of supporting documentation, inquiry of the owner, and site inspection, as deemed appropriate by the Treasurer.
13. The Treasurer is directed to refuse applications where not fully satisfied as to its validity.
14. Any person who knowingly makes a false or deceptive statement in an application or other document submitted to the Municipality is guilty of an offence and is liable on conviction to a fine of not more than an amount that is twice the amount of the rebate obtained or sought to be obtained by the false or deceptive statement except that the fine shall not be less than \$500. (Municipal Act c 45 s 442.5 subsection 20)
15. Every person who is required to provide information related to an application and who defaults in doing so is guilty of an offence and on conviction is liable to a fine of \$100 for each day during which the default continues. (Municipal Act c 45 s 442.5 subsection 10).
16. Property owners who disagree with the amount of the rebate that is calculated by the municipality can appeal of the Assessment Review Board (ARB) within 120 days after receiving notification of the rebate amount from the municipality. Appeals to the ARB must be submitted in writing and must be accompanied by the appropriate fee. Details about the appeal forms and filing fees can be obtained from the ARB at:

Assessment Review Board	Phone: 1-800-263-3237
250 Yonge Street, 29 <sup>th</sup> Floor	Fax:(416) 314-3717
Toronto On M5B 2L7	Web site: <a href="http://www.arb.gov.on.ca">http://www.arb.gov.on.ca</a>