



# PRACTICE NOTICE

---

## REVISION OF TARIFF OF BOARD COSTS

October 2, 2019

**Purpose:**

The Board has amended the Tariff of Board Costs to include a tariff for non-compliance of Board orders. This revision of the Board's tariff establishes the amount for non-compliance with a Board order under Rule 21(1) of the Board's Rules of Practice and Procedure.

**Practice Notice:**

This new tariff may be applied at the Appeal Manager's discretion. For example, this may be applied in the event of a repetitive disregard and non compliance of Board orders, particularly for production of Statements of Issues Evidence & Analysis or status reports.

Rules 21(3) provides for the assignment and tariff of costs. The Registrar has determined that the cost for handling a general non-compliance issue will be \$50. In determining a cost award, the Board may consider any relevant factor including the nature of the Board order, the purpose of the Board's Rules, procedural fairness, and the Access to Justice Triple Aim initiative.

The Tariff of Board Costs with the new item 13 can be viewed at <http://www.assessmentappeal.bc.ca/law-library/rules/>:

13	Non-compliance with a Board Order	\$50
----	-----------------------------------	------

**Relevant Provisions**

*Assessment Act*, RSBC 1996, c 20

Costs

60 (1) Subject to the regulations, the board may order that a party to an appeal under this Part or an intervenor pay another party or intervenor or the board any or all of the actual costs in respect of the appeal.

(2) An order under subsection (1) has, after filing in the court registry, the same effect as an order of the Supreme Court for the recovery of a debt in the amount stated in the order against the person named in it, and all proceedings may be taken as if it were an order of the court.

*Property Assessment Appeal Board, Rules of Practice and Procedure*

Costs

21. (1) If the board finds that the conduct of a party or intervenor has been frivolous, vexatious, egregious or an abuse of process, or that a party or intervenor has unreasonably delayed or lengthened the proceeding or failed to comply with a direction or order of the board or with these Rules, the board may order that party or intervenor to pay all or part of the costs of another party or intervenor and all or part of the costs of the board in connection with the appeal.

(2) The board may order costs under subsection (1) on its own initiative or on the application of a party.

(3) An award for the payment of all or part of the costs of the board in a proceeding will be based on a tariff of costs adopted by the board from time to time.

Please feel free to contact us should you have any questions, comments or feedback.

For the Board,



Jason Bowman  
Registrar and Executive Director