



PROPERTY ASSESSMENT APPEAL BOARD

PRACTICE NOTICE

REMOTE PROCEEDINGS

June 1, 2020

Purpose:

In light of the provincial state of emergency as a result of the public health COVID-19 pandemic, all appeal proceedings of the Board will be held remotely by way of teleconference or videoconference until further notice or order of the Board. The Board may conduct In Person proceedings only after the appropriate safety measures for its hearing and meeting rooms are in place.

This Notice provides information to the parties who appear before the Board for a remote proceeding which means an Appeal Management Conference, Settlement Conference, Oral Hearing or other process conducted by audioconference or videoconference.

Public Access to Remote Hearings: Hearings of the Board are open to the public. Settlement Conferences and Appeal Management Conferences with settlement discussions are not.

The Board is committed to the ensuring public access to hearings during the COVID-19 pandemic in a safe manner. Any member of the public who wishes to hear/observe a remote hearing may email their request to the Board at office@paab.bc.ca in advance of the hearing. The person requesting access should advise of the hearing they wish to observe and their contact information. Every effort will be made to provide them with information on how to observe the hearing. The Board posts matters scheduled to be heard (whether in person or remotely) on its website at:
<http://www.assessmentappeal.bc.ca/services/calendar-of-hearings/>

Practice Notice:

Telephone Hearing and Videoconference Hearing Protocols are attached as Appendix "A" and "B" respectively. The Protocols set out in detail the Board's expectations and instructions for these type of proceedings. The attached Protocols also contain technical information on how to attend Telephone or Videoconference proceedings. If you have any technical questions, please contact the Board at (604)775-1740 or office@paab.bc.ca.

The following are the Board's expectations on parties' conduct during a remote proceeding:

For Teleconferences & Videoconferences:

1. Recording: The only remote proceedings that may be recorded are telephone or videoconference Hearings. Settlement Conferences or Appeal Management Conferences that often involve settlement discussions will not be recorded by the Board or any other party.
 - a. If the Board records the hearings, any person may request a copy of the recording including for the purposes of ordering a transcript (the Board may charge a fee for the copying of the recording).
2. Your Location: Due to the nature of a remote proceeding, you may not be attending from a shared space. Please make reasonable efforts to attend from a quiet, private space and in the case of a videoconference, with neutral background.
2. Mute Your Microphone: To minimize background noise, mute your microphone when not speaking. If you are using a computer, close all other applications and notifications. Shut off your cellphone or put on silent mode.
3. Introductions: When you first join the remote proceeding, introduce yourself to the moderator.
4. Speak Clearly: Remember to unmute when speaking. Speak clearly and slowly for everyone to follow. Pause frequently to allow the Board facilitator to take notes and ask questions. When finished speaking, re-mute your microphone.
5. Responding, objecting or commenting: If you find it necessary to respond, object or comment to someone in the proceeding and it cannot wait your turn:
 - a. videoconference: raise your hand to signal that you wish to speak;
 - b. teleconference: when appropriate, interrupt the conversation in a respectful manner.
6. Time Limits: The Board may have set a time limit for the remote proceeding in advance and parties should follow them to ensure everyone has the fair chance to be heard.
7. Materials: Make sure you have before you the materials that were produced in advance of the remote proceeding in a manner that is organized.
8. Taking notes: Use pen or paper to take notes during the remote proceedings whenever possible. The sound of typing can be distracting. Shuffling papers can also be distracting. These can make it hard for other parties to hear.
9. No food or drink: Avoid eating or drinking except water during the proceeding.

For Audioconference Proceedings:

1. Dialling In: You will be given dial in instructions with a date and time to dial in. You must dial in promptly to the proceeding at the time provided.
2. Failure to Dial in: If you do not dial in promptly, there is no expectation that the Board will contact you or wait more than 5 minutes after the time provided. Failure to attend the proceeding promptly or at all may result in consequences being imposed by the Board.
3. Audio Connection: If you use a telephone rather than a laptop, a land line may work better than cell phone. In either case, do not use the speaker phone function as this may create an echo and avoid Voice over Internet Protocol (VOIP).

For further instructions and expectations for Telephone Hearings, please see Appendix "A", "Telephone Hearing Protocol".

For Videoconference Proceedings:

1. Dress appropriately: Dress professionally as if you are in an in person proceeding.
2. Arrive early: You should be prepared to join the videoconference proceeding at least 10 minutes before the start of the proceeding to allow time to address any technical issues.
3. Use your name as screen name: When you join the videoconference proceeding, type your first and last name when prompted as your screen name. Your name will be seen by all the participants of the proceeding.
4. Focus on your camera: Make direct contact with the screen whenever possible.
6. Blur your Background: Blur the background in your video to ensure parties' privacy and to limit visual distraction.
5. Technical difficulties: If the image and sound quality is interrupted, ask whether other participants can still hear you. If the session ends abruptly, please try reconnecting. If still not working, the Board will continue by way of the teleconference dial in connection.

For further instructions and expectations for Videoconference Hearings, please see Appendix "B", "Videoconferencing Hearing Protocol".

Simmi K. Sandhu,
Chair

Appendix “A”

PROPERTY ASSESSMENT APPEAL BOARD

RESIDENTIAL, FARM, RECREATIONAL APPEALS

TELEPHONE HEARING PROTOCOL

Residential, farm, and recreational property appeals may be heard by way of written submission or informal oral hearing with written submissions. Hearing dates and dates for production of submissions will be set at the AMC. Appeal managers have discretion to schedule telephone hearings and the reasons may include:

- language or literacy difficulties,
- credibility issues.
- More complicated issues;
- The nature of the evidence that will be produced; and
- Group appeals.

Board's Expectations for Teleconference:

If a hearing is scheduled by teleconference, the following are the Board's expectations:

- 1) When telephone hearings are held, they will be simplified and informal.
- 2) Most hearings will be scheduled for a maximum of 90 minutes although it is expected that most hearings will be completed in less than one hour.
- 3) The parties will be expected to file submissions in advance in writing, including any documentary evidence. The appeal manager will schedule dates for prehearing exchange of the written submissions/evidence.
- 4) The panel member hearing the appeal will review all documents and submissions before the hearing.
- 5) Both parties will have approximately 20 minutes to present their evidence and argument. The panel member may ask questions of the parties.
- 6) The parties may also ask questions of the other party to better understand or clarify the other's position, but formal cross-examination will not generally be necessary or permitted.
- 7) The hearing will be mostly in the nature of dialogue and submissions with reference to the written material already filed.
- 8) There will be no need for the parties to read through the written material – only hit the highlights and summarize.

- 9) Normally, residential, farm, and recreational property hearings will not be recorded and no transcript of the hearing will be available. The panel chair may record the hearing for their own use for reviewing the evidence and submissions, and for preparing their decision. Parties may make their own recording of the hearing with permission from the panel chair but any recording will not be an “official” recording.

For the telephone hearing, the Board expects that the remote participant:

- i) Must have a dedicated telephone line to be used during the hearing with adequate connection;
- ii) Must be in a secure and quiet place to conduct the tele-conference, free of interruptions;
- iii) Must mute their speaker if they are not speaking to reduce background noise during the meeting.
- iv) If a party intends to refer to any additional documents or evidence not filed before the hearing and plans to put that evidence to a remote witness, they must provide that document to the Board for the purpose of scanning, no later than five (5) business days before the start of the hearing. In this event, the Board will have a scanned copy ready to be uploaded and referred to during the hearing.

If there are third party witnesses calling in:

- the witness should not have other persons present without the knowledge or permission of the Board or other participants;
- the witness must not have any materials or outside aids available to them for the purpose of providing their testimony, except for materials agreed to by the parties beforehand.
- It is obligation of the party calling the remote witness to ensure that they have the equipment necessary and that they understand the Board’s expectations.
- In addition, it is the party’s responsibility to ensure that their witness has all the pre-hearing documentary evidence filed with the Board.
- If there is a delay or change in the time for the participant to join the teleconference, it is the responsibility of the party calling the witness to notify the witness of any change or delay in the time and have them ready when required.

INSTRUCTIONS TO SIGN IN:

1. The Board will send remote participants an email invitation by which they will join the meeting. Please ensure the Board has your correct email address.
2. To join the meeting:

- To connect to the audio, from your speakerphone or similar device, check your Notice for the telephone number and dial:

1-888-952-9304 for most appeals (or 1-877-353-9184 if the Notice provides this number) await prompt then enter passcode XXXXXXXX#
 - You will be connected to the teleconference once the Board dials into the conference line.
3. If you have any technical difficulties in connecting or during the tele-conference, or if you are unexpected disconnected during the teleconference, please contact Linda Ly at 604-953-6637.
 4. Upon request or if required, the Board can conduct a short test of the platform with the remote participants. This is only for the purpose of ensuring the participants are familiar with the platform and no other purpose.

Appendix “B”

PROPERTY ASSESSMENT APPEAL BOARD

VIDEOCONFERENCE HEARING PROTOCOL

Board’s Expectations:

10) The Board may schedule an appeal management meeting, settlement conference, or oral hearing by video-conference on its own initiative. Or, a party who wants to attend by video, or who wants a witness to attend the hearing by video, they must apply to the Board **at least three (3) weeks** before the meeting or hearing setting out the reasons for the remote attendance.

11) If an appeal is scheduled for video-conference, the Board expects that the remote participant must have:

- a computer with a video camera and internet connection;
- sufficient broadband to run the video connections;
- a separate audio connection by way of a speaker phone or similar device (use of computer audio is not permitted as it uses broadband that will reduce video quality and limit the resources needed to show multiple camera streams);
- a secure and quiet place to conduct the video-conference, free of interruptions; and
- appropriate dress for the meeting/hearing.

Parties to the videoconference should:

- mute their speaker if they are not speaking to reduce background noise during the meeting; and,
- provide a telephone number in advance in the event there are issues connecting into the video-conference.

12) For appeal management conferences and settlement conferences:

- a party or attendee must not record the meeting without the consent of all other attendees; and,
- parties should not have other persons present without notification and/ or consent of other parties.

13) Specific to hearings:

- the witness should not have other persons present without the knowledge or permission of the Board or other participants;
- the witness must not have any materials or extrinsic aids available to them for the purpose of providing their testimony, except for materials agreed to by the parties beforehand;
- It is obligation of the party calling the remote witness to ensure that they have the equipment necessary and that they understand the Board's expectations;
- In addition, it is the party's responsibility to ensure that their witness has all the pre-hearing documentary evidence filed with the Board; and,
- If there is a delay or change in the time for the participant to join the meeting, it is the responsibility of the party calling the witness to notify the witness of any change or delay in the time and have them ready when required.

14) If a party intends to refer to any additional documents or evidence not filed before the Hearing and plans to put that evidence to a remote witness, they must provide that document to the Board for the purpose of scanning, **no later than five (5) business days** before the start of the hearing. In this event, the Board will have a scanned copy ready to be uploaded and referred to during the hearing.

INSTRUCTIONS TO LOG IN:

5. The Board will use the WebEx platform as its videoconferencing tool.
6. The Board will send remote participants an email invitation by which they will join the meeting. Please ensure the Board has your correct email address and a telephone number where you can be reached at the time of the conference.
7. To join the meeting:
 - click on the "join the meeting" link in the meeting invitation email you received:

You can forward this invitation to others.

Hello,

Isabella Chin invites you to join this WebEx meeting.

Mock hearing

Tuesday, September 19, 2017

11:00 am | Pacific Daylight Time (San Francisco, GMT-07:00) | 1 hr

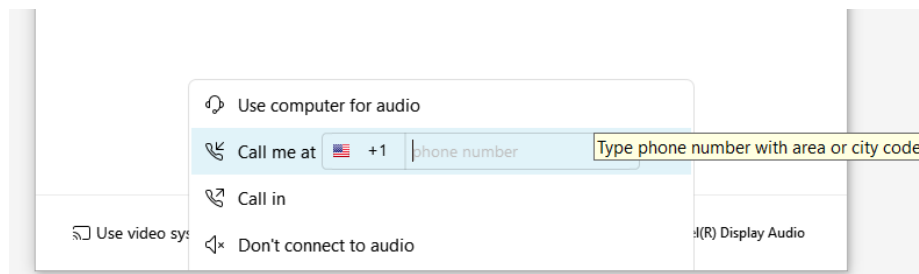
Meeting number (access code): 809 364 997

Meeting password: r663wrmB

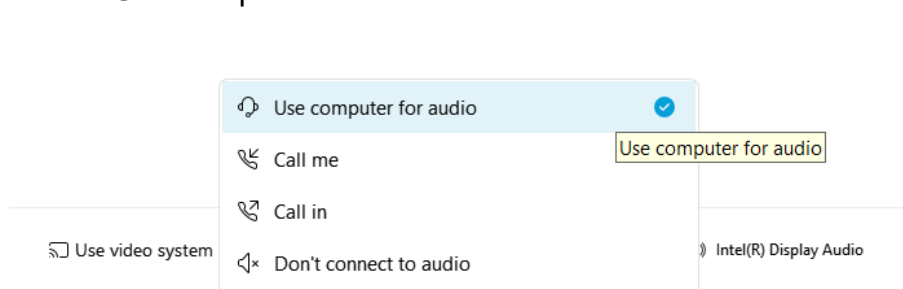
Add to Calendar

When it's time, [join the meeting](#).

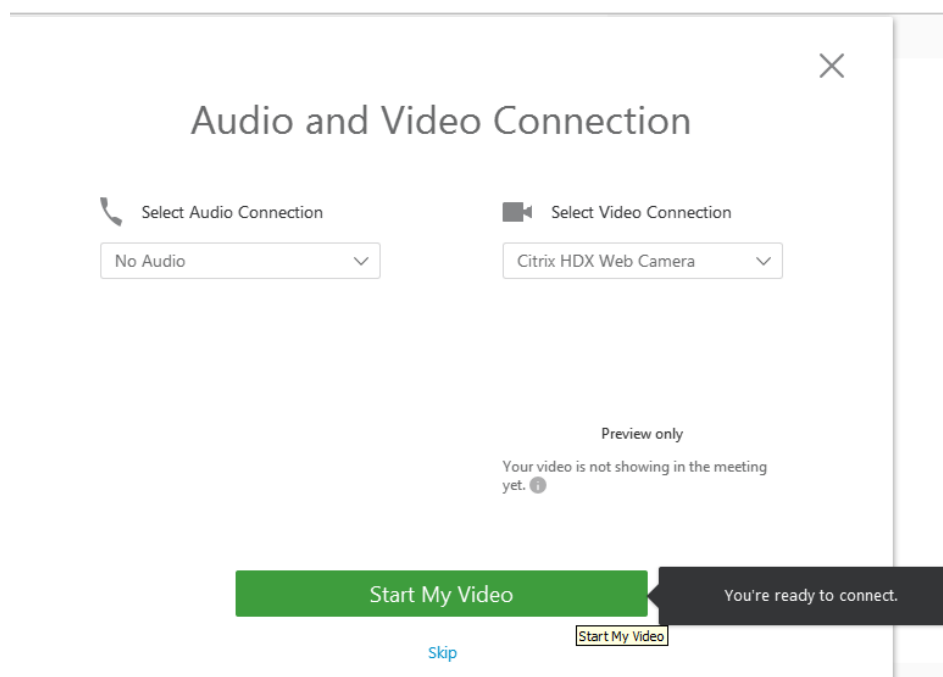
- If it's your first meeting using WebEx, you will be required to download the add-on. Follow the prompts on screen. For troubleshooting, please refer to pages 19-20 on the [WebEx Meeting Center User Guide](#).
- On the Meeting Information page, enter your name and your email address. Click on "Join".
- When prompted, you can either:
 - select "Call me at" under "Select Audio Connection" to allow the meeting to call you at your telephone number, or



- select "Use computer for audio":



- Select “Start my video”:



8. If you have any technical difficulties in connecting or during the video-conference, or if you are unexpectedly disconnected during the video conference, please contact Isabella Chin at 604-953-6638. If you have provided a telephone contact, the Board will attempt to contact you.
9. Upon request or if required, the Board can conduct a short test of the platform with the remote participants. This is only for the purpose of ensuring the participants are familiar with the platform and no other purpose.