



Canadian Justice Review Board

In Alta Tende, Integritatem Pete Principiaque

Chairman's Annual Report 2016

I am pleased to report that over the past year the CJRB increased its readership and online presence significantly. Our colleague director Larry Elford in Lethbridge AB oversaw the launch of a CJRB Facebook page. Over the past year the CJRB has posted news of books by Candis McLean and Christie Blanchard's, '*Cold Hard Facts*' and '*Life Sentence*' respectively. which reached about 6,000 readers. The CJRB also announced an upcoming book to be released in 2017 by our colleague Al Rosen titled '*Easy Prey*'. At the top of the list, reaching 12,159 readers was '*Why you might appeal your property assessment*' by Adam Myers with a '*Commentary on the Assessment Review Board rules of procedure*' by our colleague Bruce Haines Q.C. Year to date, 181 articles have be posted.

Following last year's Annual Report from immediate past-chairman Glenn Fox concerning transparency at the Assessment Review Board of Ontario (ARB) , the CJRB wrote to the ARB's associate chairman Paul Muldoon. The letter was an effort to point out that the ARB operates under the *Statutory Powers Act* and not under the *Law Society Act* .Therefore taxpayers should not be forced to hire lawyers as the Municipal Property Assessment Corporation (MPAC) had argued, especially considering that the taxpayers' opponent MPAC is exempt from this expense. MPAC's efforts seemed directed at making appeals as difficult as possible for taxpayers. Mr. Muldoon offered no reply. However, although the new Rule for 2016 mentions lawyers, the Rule also provided a clear "or" option for not doing so. The CJRBs letter may have had some effect.

Ontario courts do not allow a losing party to complain to the court administrator to cancel a judge's decision, but the Assessment Review Board does allow this to happen. The CJRB filed an access to information request with the Ontario Ministry of the Attorney General to discover how often the lawyers for the Municipal Property Assessment Corporation have done so. After several months of Ministry equivocation, the Ministry identified approximately 75 instances. But unlike the Ministry's co-operative stance 2-years earlier in providing the CJRB with a CD-ROM containing some 30,000 unpublished ARB decisions for \$10.00, the Ministry now claims a search fee of at least \$3,700 for the 75 instances. This passive-aggressiveness seems designed to make obtaining the information cost prohibitive. Therefore, in addition to requesting a Ministry breakdown of the search estimate as to its component parts, the CJRB has brought the matter to the attention of members of the Ontario Legislature. The public has a right to know what is going on and to be assured that there is nothing untoward in the relationship between MPAC and the government run ARB on which taxpayers rely for a fair hearing. Stay tuned.

Our colleague and immediate Past Chairman Glenn Fox appeared on TV Ontario (TVO) April 15, 2016 with former Ontario Environment Commissioner Gordon Miller for a spirited debate about government regulations. Glenn argues that Ontario's attempt to protect farmland is unnecessary and costly for rural citizens. Glenn's paper has been archived in the "Reports" section of the CJRB website.

As mentioned above, our colleague Al Rosen's new book will be available in 2017. "Easy Prey" outlines shortcomings in the court and legal regulatory system that have put people's savings, and possibly the entire economy, at risk.

Collecting and re-publishing significant court cases and related articles remains a priority for the CJRB's main website. This reference material is categorized by topic for ease of access. It continues to attract a growing number of users. Keeping pace with the latest upgrades in software and operating systems is a constant challenge. Our webhost provider recently advised that it would no longer support PHP7. The upgrade to PHP8 went well but caused a few "bugs" or script error in some archived articles and reports. The problem seems cosmetic and is currently being addressed by technical support staff.

I remain grateful for the continued support of the CJRB's directors and executive and look forward to a productive 2016-2017 year ahead.

Yours truly.

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Chairman
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