

PROPERTY TAX CASE STUDY THAT SINKING FEELING

Our Client's Challenge

On the quiet shores of Nova Scotia's beautiful Bras d'Or Lakes sits a quiet little boat yard with a not-so-quiet owner. When the owner of this property purchase the business in the 1970's it was considered by many to be on its last legs; but he saw potential and wasn't afraid of putting in the hard work needed to turn things around. Over the next 37 years he accomplished what few others could ... he invested his blood, sweat and tears into a rural Nova Scotia business. He brought the business back, built a loyal customer base and provided jobs for the local community. When he opened up his annual love letter (assessment notice) from PVSC and saw a whopping 78% increase the owner immediately contacted PVSC and was told it was a "catch up year" after several years of his assessment remaining flat. He was also warned that pursuing an appeal could result in a further increase. This owner however was not one to back down from a fight. He turned to Turner Drake for advice ...

Turner Drake's Approach

Our Property Tax division set to work. We began with a detailed review of the assessment history of the subject property in order to isolate the source of the increase. Next we travelled to Cape Breton and completed a detailed on site inspection (in an intense downpour which claimed the life of at least one umbrella we might add). Next we completed a rigorous search for sales in the area over the previous decade to search for justification for the 78% increase. Finally we researched relevant case law to argue the methodology behind the assessment. Despite multiple attempts, the assessor was unwilling to negotiate a settlement and the matter was sent to the Regional Assessment Appeal Tribunal. Fortunately, we don't back down from a fight either.

Winning Results

We completed a court ready position and represented the owner at the Tribunal level where we were successful in not only eliminating the 78% increase but secured a value which was 18% below the previous years' assessment. Sadly the assessor ignored the Tribunal decision and increased the assessment again the following year ... so we suited up the armour and went to the Tribunal yet again. This time we got it reduced even further.

