LAND VALUATION DEPARTMENT MAINTENANCE OF THE VALUATION LIST

REFERENCE GUIDE

Abstract

This document is a comprehensive overview of the Maintenance of the Valuation List section and is for Internal Use Only.

Last Updated: May 2018

"We value Bermuda"

CONTENTS OF REFERENCE GUIDE

The Maintenance of the Valuation List Handbook contains information on the following sections:

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THE VALUATION LIST

Statutory Function

In accordance with the provisions of the ***Land Valuation and Tax Act 1967***, the statutory function of the Department is to maintain an ***up-to-date and accurate Valuation List*** of all properties on the Island, including the quinquennial revaluation of those properties.

There are approximately ***36,000 valuation units*** in the Valuation List upon which land taxation is collected by the Office of the Tax Commissioner. The basis for land taxation is the principal purpose for the Valuation List, although the Valuation List is used by a number of other Government Departments to fulfill their particular mandates and policies.

The Valuation List is to be fair as a whole, ***with the object of ensuring fairness of annual rental values between valuation units, one with another***.

In Section 1, Interpretation of the Act:

"annual rental value", in relation to a valuation unit, means its annual rental value as assessed under this Act, based on the rent at which the valuation unit might, on or about the valuation date on the open market, reasonably be expected to let from year to year if the tenant undertook to bear the cost of internal repairs, and the landlord to bear all other reasonable expenses necessary to maintain the valuation unit in a state to command that rent, but excluding any element attributable to any tax payable under this Act.

Thus, Maintenance of the List (MoL) work requires ***attention to detail***, ***exactitude, impartiality*** and a ***comprehensive understanding*** of the 1967 Act, the Department's policies and procedures and the I.T. MAGI database. All those involved with MoL work should always be mindful that mistakes on the Department's part, can literally cost people financially. It is therefore imperative that each MoL case be given the requisite care and attention from case creation and inspection, all the way through to the valuation and case completion. Maintaining an ***up-to-date and accurate Valuation List*** is paramount to preserving the publics' confidence in both the Valuation List and our ***accuracy, integrity and competence***.

Purpose of Reference Guide

This Reference Guide provides a ***holistic overview*** of the Maintenance of the Valuation List Section within the Department. It is for use by the Management Team and anyone responsible for valuing and/or amending assessments in the Valuation List as a resource guide and reference tool.

It will cover the processes involved in amending the Valuation List from start to finish, including the numerous practices, policies and procedures of the Department to ensure:

- consistency and impartiality in valuation approach
- accuracy of assessments
- fairness and equity between assessments

- the publics' confidence in the Valuation List is maintained at a high level
- the reputation of the Department and Government is maintained to a high standard

This Reference Guide should be read in conjunction with the ***Land Valuation and Tax Act 1967,*** the ***Land Valuation and Tax (Objections and Appeals) Rules 1967*** and the other Department manuals/handbooks, such as:

- Employee Orientation Manual
- Handbook for the Valuation Survey Technician
- Land Valuation Appeal Tribunal Handbook for Tribunal Members

MAGI (Mass Appraisal Geographic Information) SYSTEM

MAGI is a bespoke, purpose built case management and mass appraisal IT system for the Department, which went live on ***31st March, 2008***. Upgrades are continuously made to MAGI based on the Department's needs and requirements. All of the Department's case work (Maintenance of the List and Appraisal services) and case management/workflow controls are carried out in the MAGI relational database.

Maintaining the Valuation List in MAGI

MAGI provides the capability to carry out daily valuation case work on new, amended and demolished valuation units for land taxation purposes. The ***key features*** in MAGI for Maintaining the Valuation List include:

- Case management
- Mass appraisal functions for Island wide revaluations
- Workload reviews of all existing cases
- Address management
- Reporting
- Daily updates to the Department's website and the Office of the Tax Commissioner
- GIS enabled

Case Management Features

The case management system provides management with the capability to prioritize case work and produce statistics on case volumes by date, type and value ranges. Workflow control features include:

- Case creation
- Case assignment / re-assignment
- Case prioritization
- Case tracking
- Event logging
- Case and event histories
- Valuation histories
- Case and assessment searches
- Case reports and statistics

MAGI (Mass Appraisal Geographic Information) SYSTEM

Basic Application Functions

The MAGI tab system stays the same no matter which section you are working on in the application. The tab is similar in appearance irrespective of the tab that is open.

To open a list of choices from the tab, click on one of the headings (e.g. File, Case, Assessment etc.) with the cursor, and a list of options will appear in a drop down list.

File

Under the ***File*** tab, the only option available is Exit. Clicking this will close the MAGI application.

Case

The ***Case*** tab contains the following list of items all relating to MAGI cases.

My Dashboard (formally My Cases) - opens up your home screen, which contains all cases and related information that are assigned to you.

New – opens a blank New Case screen that can be filled in and saved.

Search – opens up a screen that allows you to search for cases based on specific criteria.

Jump To – opens up a sub menu which allows you to go directly to a case by typing in the case number.

MAGI (Mass Appraisal Geographic Information) SYSTEM

Assessment

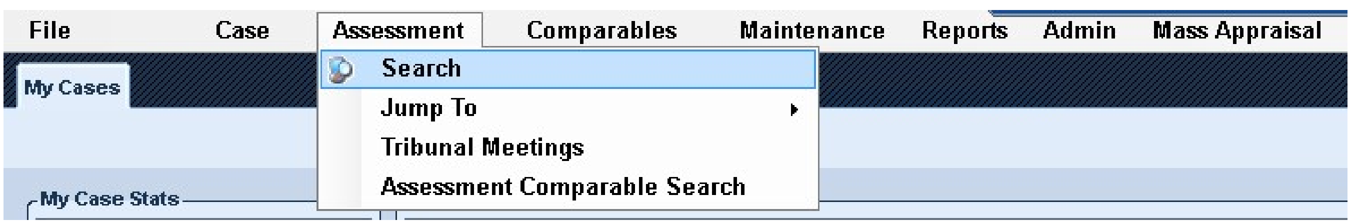
The ***Assessment*** tab contains the following list of items:

Search – opens the Assessment Search screen, where you can search for assessment accounts in MAGI by providing specific search criteria.

Jump To - opens up a sub menu which allows you to go directly to an assessment account by typing in the assessment number.

Tribunal Meetings – opens the Tribunal Meetings screen for each tribunal upload of amendments to the Valuation List. This screen is now redundant as all amendments to the Valuation List are sent in real time to the Office of the Tax Commissioner's TIMS database (**T**ax **I**nformation and **M**anagement **S**ystem) since January 2016.

Assessment Comparable Search – open a screen which allows you to search assessment accounts in MAGI by providing specific search criteria. This search is often used for compiling comparable assessments for objection cases.



Comparables

The ***Comparables*** tab contains items relating to the work in the Appraisal Section and contains the three options – Search (sales search facility), New Listing (add and save new market listings) and Market Listings (displays all current market listings saved in MAGI).

Maintenance

The ***Maintenance*** tab allows you access to the “back engine” of MAGI and is only available to persons with administrative permission. It comprises the following:

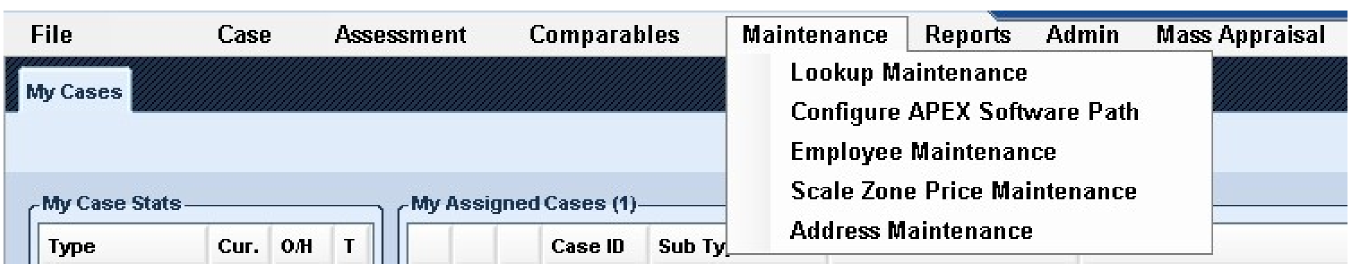
Lookup Maintenance – opens up a screen that allows you to search for all MAGI look up tables (amenity type, log type, valuation group etc.) to edit or add to.

Configure Apex Software Path – this allows Apex digital drawings to be opened in MAGI.

Employee Maintenance – opens a screen that allows you to add new employee accounts or make existing accounts inactive.

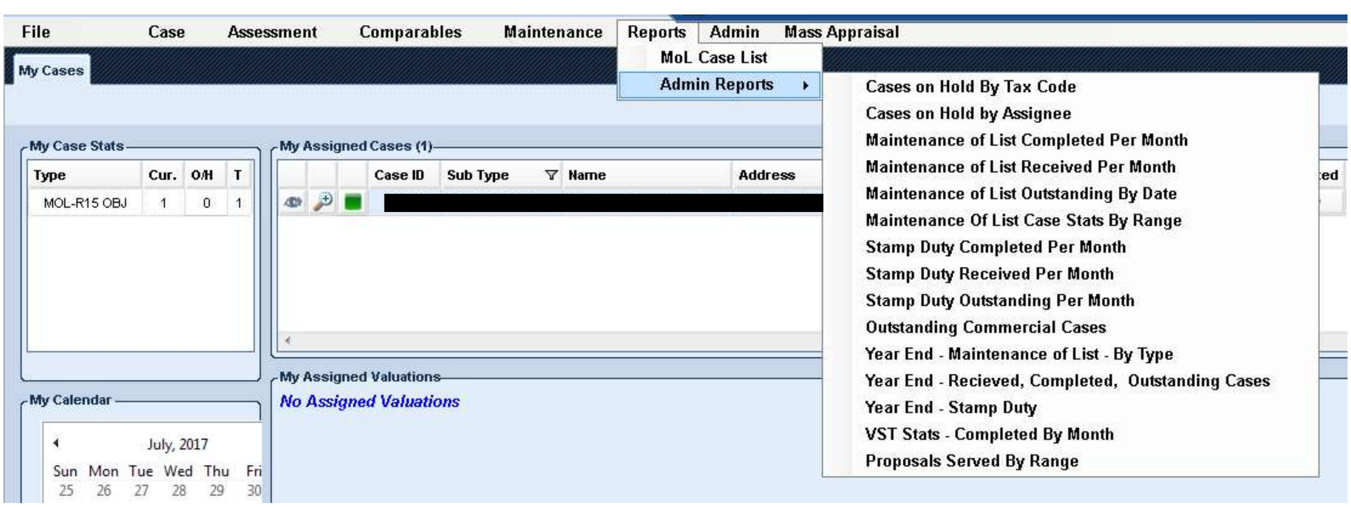
Scale Zone Price Maintenance – opens a screen with the residential scales and valuation zones.

Address Maintenance – opens a screen that allow you to add new addresses or edit existing ones.



Reports

The ***Reports*** tab contains all the stock reports (MoL and Appraisal sections) for the Department for both the VSTs and Management. The Admin reports are only visible to those with administrator permissions. More on the MoL Reports is covered in the latter section Department Statistics and Reports.



MAGI (Mass Appraisal Geographic Information) SYSTEM

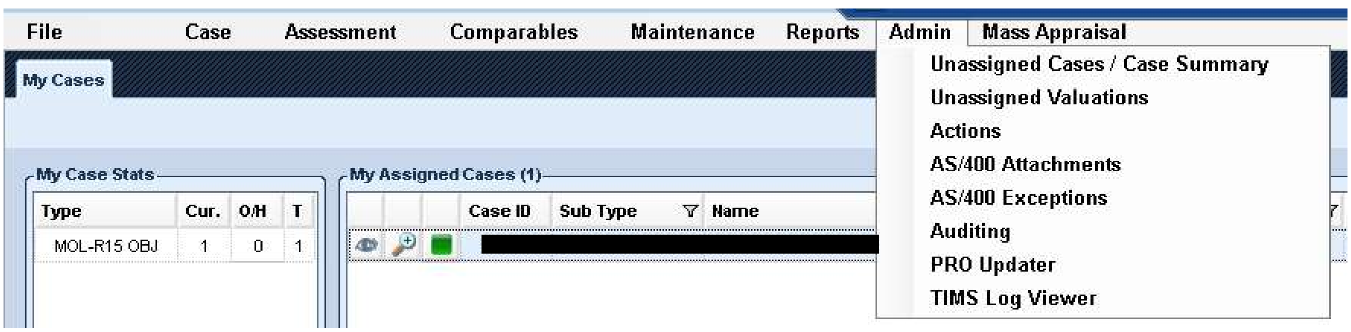
Admin

The ***Admin*** tab has many management functions and is only available to those with administrative permissions. The main features are:

Unassigned Cases / Valuations / Case Summary – opens a screen with various tables. Unassigned Cases is a record of all cases in MAGI that are to be assigned. More information on this is found in the latter section MAGI – Case Admin. Unassigned Valuations has been incorporated into this screen (May 2018) and is a list of all unassigned cases awaiting valuation. More information on this is provided in the latter section Stage 3 – Valuation of Property.

Logs (added in May 2018) – opens a screen where you can search for all logs within MAGI via date and/or Employee.

Actions – opens a screen where you can search for all actions sent within MAGI. An action can only be sent within a case.

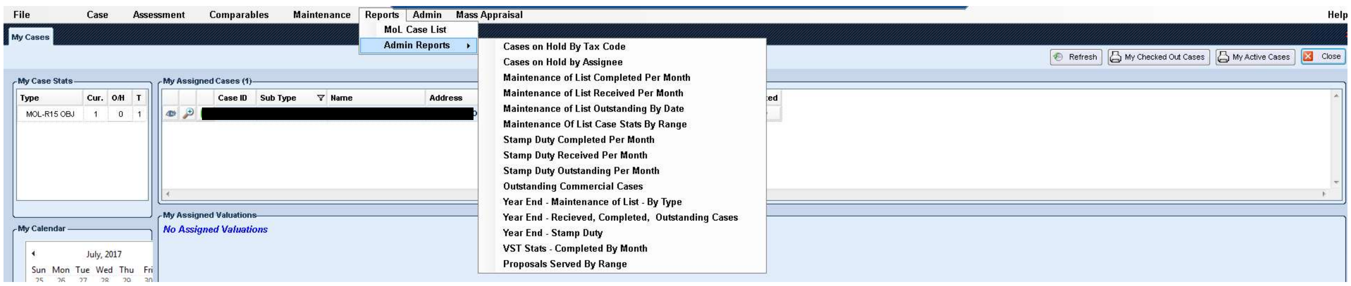


Mass Appraisal

The ***Mass Appraisal*** tab is only available to persons with administrative permissions. This tab has functions relating to revaluations and the ability to apply changes to assessment accounts *en masse*.

DEPARTMENT STATISTICS AND REPORTS

The Department produces, records and maintains numerous statistics and reports in relation to Maintenance of the List work. MAGI has numerous stock reports, which are located in the Reports tab via ***Admin Reports***.



The Assistant Directors are responsible for updating the various Department reports for their respective areas of MoL case work, which include:

Daily/Weekly

- MoL cases submitted by the VSTs each month can also be monitored on a daily and weekly basis via the VST Stats – Completed by Month Report in MAGI. This report is a great resource for monitoring performance, peaks/troughs etc. both individually per VST and as a section.

Monthly

- The monthly report of MoL cases received, submitted by VSTs and outstanding at month end. This report is presented to the staff by the Assistant Director – Revaluation during the monthly Department meetings.
- The Performance Measures report in respect of the MoL casework turnaround times. This report is submitted to the Permanent Secretary on a monthly basis and is also presented to staff by the Director during the monthly Department meetings. Additionally, these measures for all the Department's services are included in the Approved Estimates of Revenue and Expenditure Book (the Budget Book) for each fiscal year.

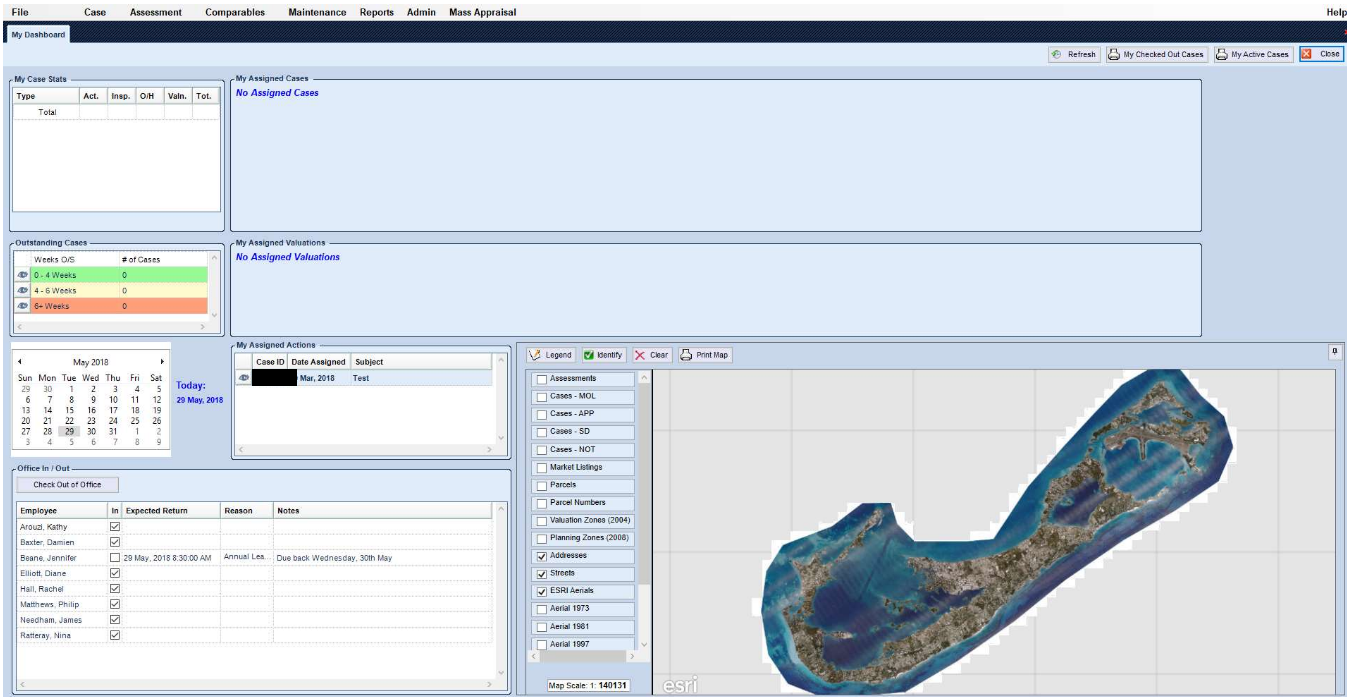
Annually

- The above monthly reports are reviewed and reconciled at year end to ensure the accuracy of the data contained therein.
- The MoL Analysis report for each calendar year. This report compares the last two calendar years in respect of cases received and case type, cases completed and number of proposals served and outstanding cases at year end. Commentary is also provided in this report, which is presented to the staff by the Assistant Director – Revaluation at the monthly Department meeting in January.

Stats Folder

All spreadsheet reports are located in the ***Stats folder*** on the "O" Network drive.

MAGI – MY DASHBOARD TAB (formerly My Cases)



When MAGI is opened, the home screen is the ***My Dashboard*** screen. This screen displays detailed information about the cases assigned to you. The screen comprises the following main components:

My Case Stats

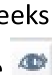
This provides a breakdown of the cases assigned to you. Broken down by case sub type, it displays the number of your assigned cases by status (Active, Inspected, On Hold, Valuation), as well as the total number of cases per case sub type.

My Assigned Cases

This provides a listing of all the cases assigned to you and displays basic information for each case, such as Case ID, Sub Type, Name of Applicant, Address, Status, Priority, Date Assigned and the number of related cases.

There is the ability to view the case  , zoom to the location on the map  or view related cases by clicking the icons.

Outstanding Cases

This visual displays your assigned cases by weeks outstanding from date assigned. Green is 0-4 weeks, yellow is 4-6 weeks and red is 6+ weeks. Clicking the  opens a table with the cases and you can open the case from here also for more detailed information.

MAGI – MY DASHBOARD TAB

My Assigned Valuations

This provides a listing of all the valuations assigned to you by case.

My Calendar

Currently displays a calendar with today's date at the right hand side.

My Assigned Actions

This lists all the actions assigned to you.

Office In / Out Board

This lists all employees and shows if they are in or out of the office. If out of the office, the In / Out board will state the reason for being out of the office, the expected return time and the cases checked out for inspection.

Mapping

The map shows the location of all cases assigned to you. The icons are colour coded by case type. You can pan around and zoom in/out, as well as pop out the map via .

Reports

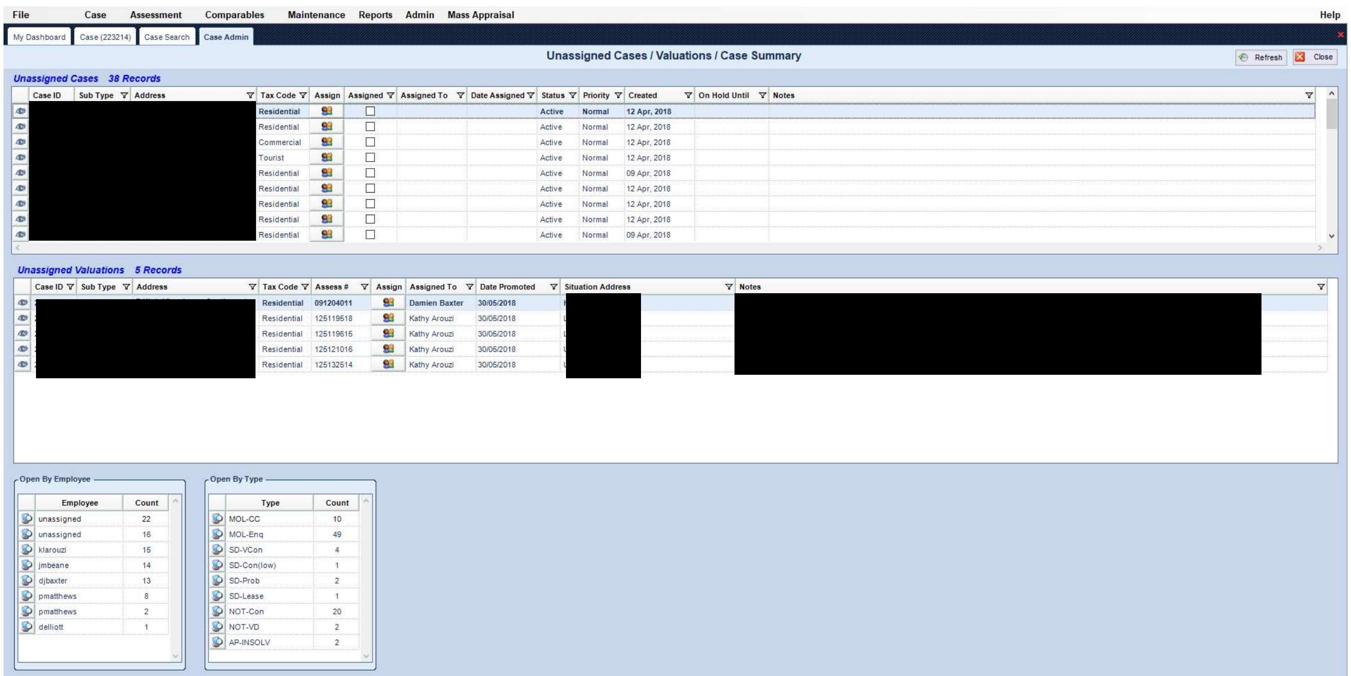
There are two reports on the My Cases screen.

prints a detailed report of the assigned cases you have checked out for inspection.

prints a report of all your assigned active cases.

MAGI – CASE ADMIN TAB

The Case Admin menu is found in the Admin tab and selecting ***Unassigned Cases / Valuations / Case Summary*** (updated May 2018) from the drop down menu.



The Case Admin menu is a ***complete overview of all live cases*** for the Department (Maintenance of the List and Appraisal cases). As a manager, this page should be looked at frequently throughout the day.

The Case Admin screen contains the following sections:

- Unassigned Cases – all unassigned cases are listed here
- Unassigned Valuations – all unassigned assessments for valuation are listed here
- Open By Employee – all live cases by employee are grouped together
- Open By Type – all live cases by type are grouped together
- Outstanding Cases – all live cases for both Maintenance of the List and Appraisal are visually displayed by weeks outstanding (traffic light system) (still to be deployed)

MAGI – CASE ADMIN TAB

Unassigned Cases

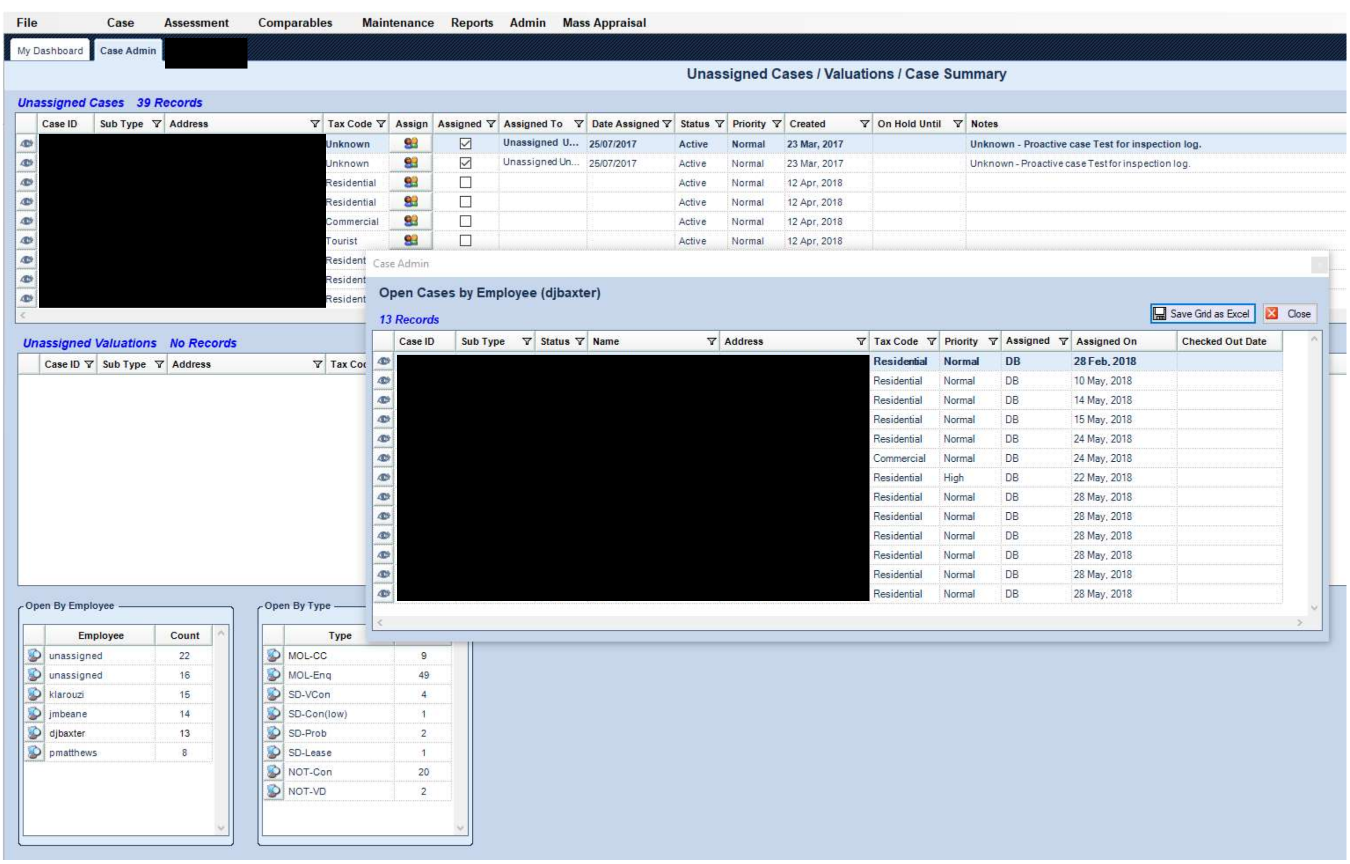
This table shows all the unassigned live cases within the Department. Cases can be opened by selecting . This table is where a manager will review and assign cases.

Unassigned Valuations

This table shows all the unassigned MoL cases awaiting valuation by individual assessment number and address. The assessment can be assigned via or the case itself can be opened by clicking .

Open By Employee

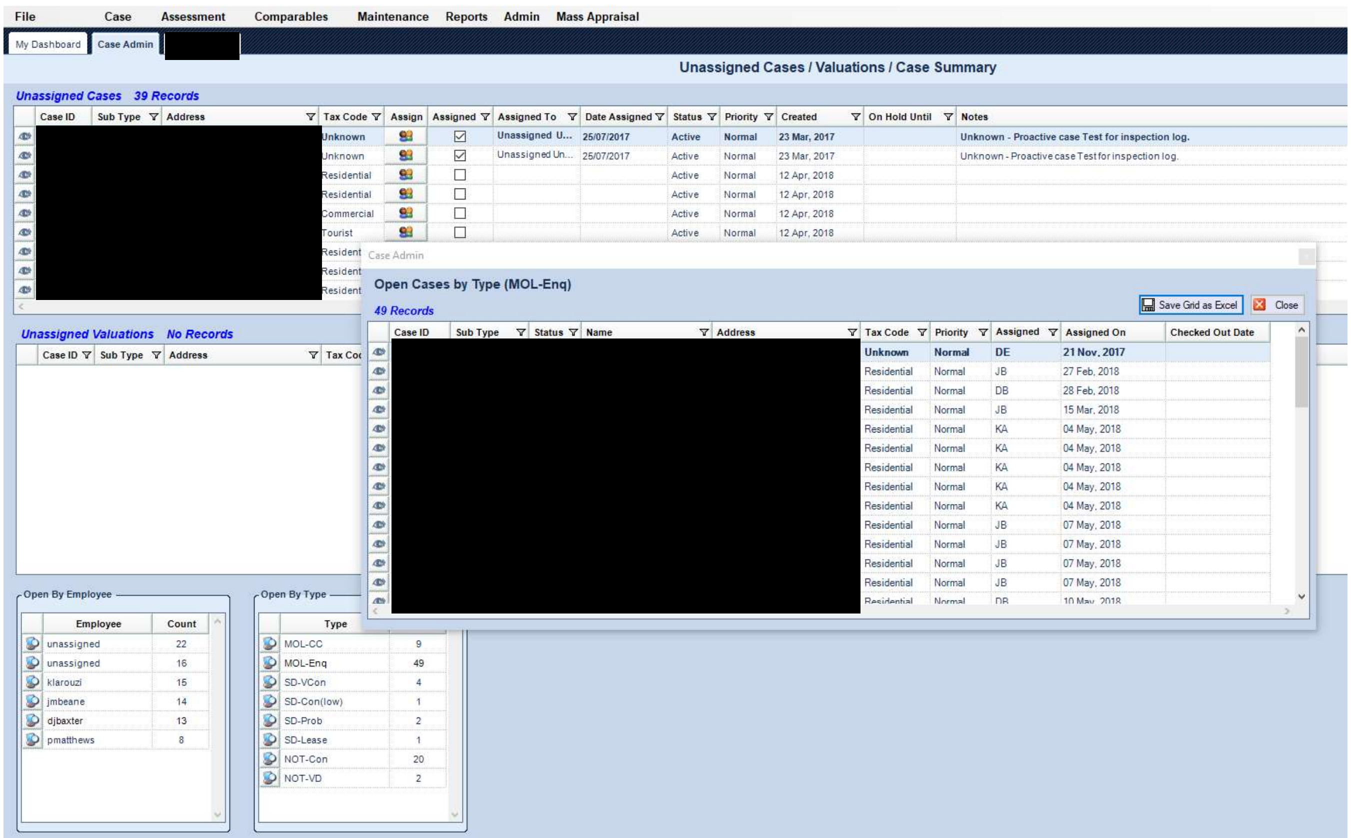
This table shows all live cases by employee, including Unassigned cases, and provides a count of the total number of cases for that employee. The cases for an employee can be viewed by selecting . Pertinent information about the cases are shown in the pop out box.



MAGI – CASE ADMIN TAB

Open By Type

This table shows all live cases by case type, including Unassigned cases, and provides a count of the total number of cases by type. The cases by type can be viewed by selecting . Pertinent information about the cases is shown in the pop out box.



Outstanding Cases

Similar to the My Dashboard screen, these two tables visually depict all live cases for both Maintenance of the List and Appraisal sections by weeks outstanding from date received. (still to be deployed)

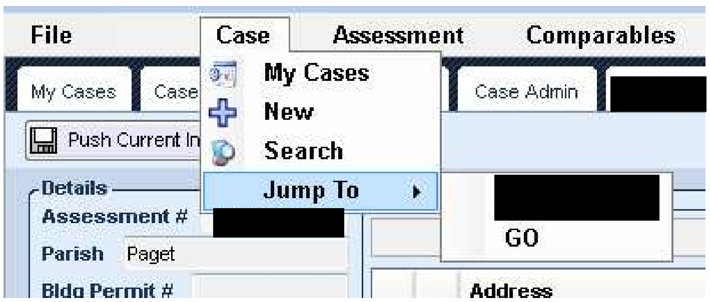
MAGI – CASE AND ASSESSMENT SEARCHES

Case Search

There two ways that you can search for a MoL case in MAGI.

Jump To

To open a MoL case where the case ID is known, click Case tab and select ***Jump To*** from the drop down menu. Type in the Case ID number and select GO or hit Enter on your pc. MAGI will open the selected case.

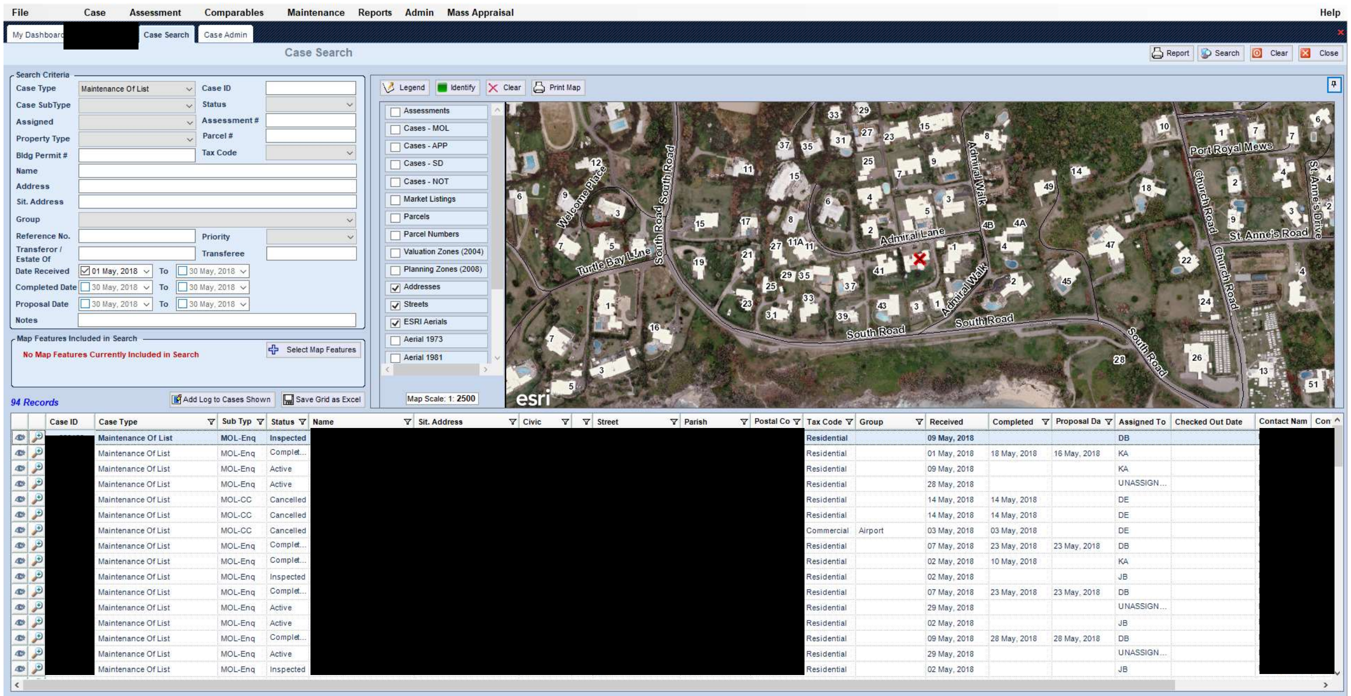


Case Search

The Case Search screen is found in the Case tab and selecting ***Search*** from the drop down menu. This screen is used to search for cases in MAGI.

MAGI – CASE AND ASSESSMENT SEARCHES

<u>Case Search Screen</u>



To search for a MoL case, select ***Maintenance Of List*** in the drop down menu for Case Type.

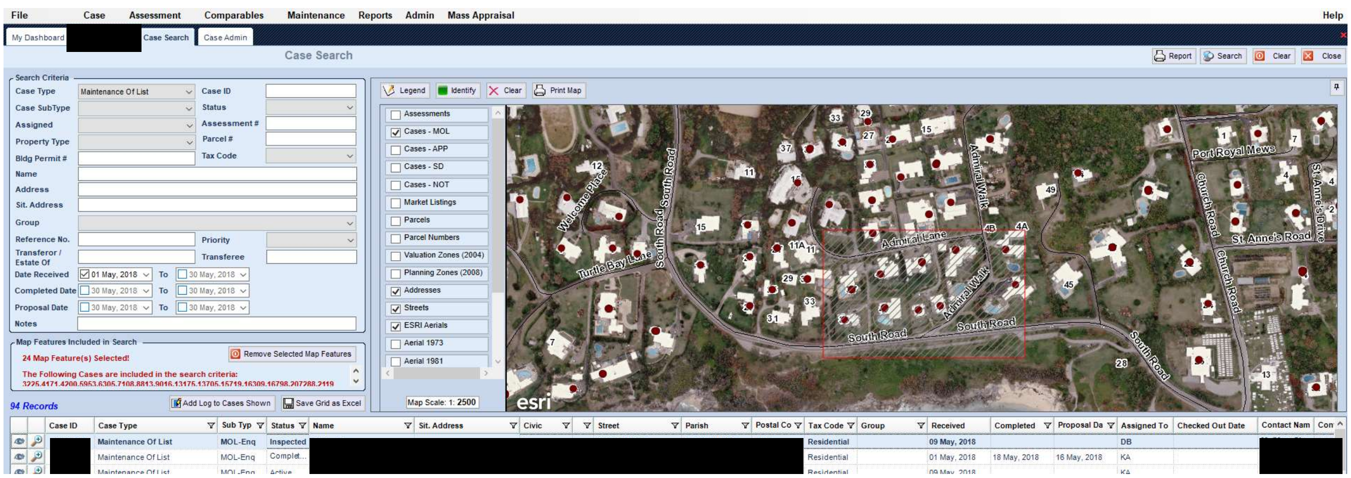
MAGI – CASE AND ASSESSMENT SEARCHES

Search Criteria

To further refine the search, enter the search criteria in the specific search fields, and click Search.

The search results for the selected search criteria will display in the search results grid at the bottom of the screen.

You can also search for MoL cases via the map by first selecting ☑ Cases - MOL on the map. Next click Select Map Features in the Search Criteria, which will prompt you to draw a rectangle around the cases you wish to search. Once this is done on the map, the selected cases will appear in **red** in the Search Criteria.



Next click Search to display the search results in the bottom results grid.

Note, you can also use ***** for ***wildcard searches*** in the search fields e.g. ***** admiral***** in the Address search criteria field, will return all addresses that have the word "admiral" in it.

Search Results

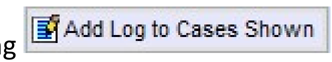
The search results are displayed in the data grid in the lower part of the screen. The search results can be further refined by using the filters in the various search result columns. Individual MoL cases can be opened, by clicking . Additionally, you can zoom to the property location on the map, by clicking .

The case search results can also be saved as an Excel spreadsheet, by clicking Save Grid as Excel. To clear the search criteria, click Clear.

MAGI – CASE AND ASSESSMENT SEARCHES

Add Log to Cases Shown

MAGI has the ability to save logs against a case or an individual assessment number. Logs are a record of an event, document, correspondence etc. and include items such as Counter Enquiry, Email, Letter, Maps/Lot Plans, Meeting, News Articles, Phone Call etc. Ensure that you are familiarized with the numerous log types. Also note that MAGI automatically creates some logs as part of its audit trail functions e.g. Case Action Signed Off, Case Created, Inspection Promoted to Valuation, Provisional Assessment Created, Status Changes, Valuation Demoted.

You can also add the same log to multiple cases at the same time by clicking 

(located above the search results).

Select the log type from the Type drop down menu and type a brief description of the log in the mandatory Notes field. If required, add the attachment by clicking 

. There is no need to add a File Description or Keywords. Click 

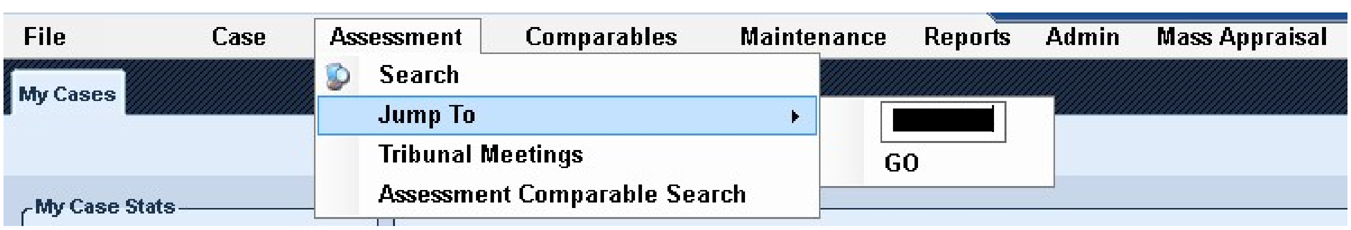
. This will add the Log and attachment to all the cases shown in the search results.

Assessment Search

There two ways that you can search for an assessment in MAGI.

Jump To

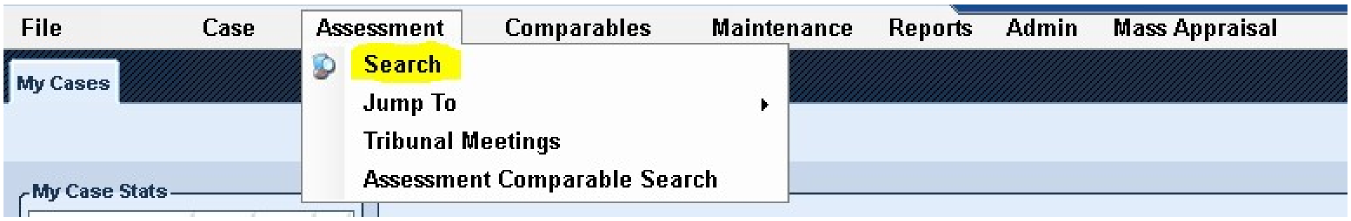
To open an assessment where the assessment number is known, click Assessment tab and select ***Jump To*** from the drop down menu. Type in the assessment number and select GO or hit Enter on your pc. MAGI will open the selected assessment.



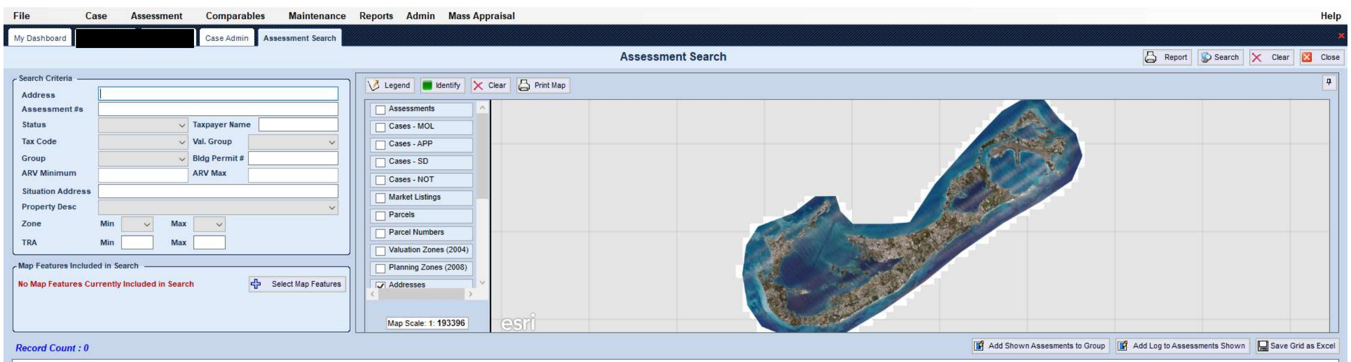
Assessment Search

The Assessment Search screen is found in the Assessment tab and selecting ***Search*** from the drop down menu. This screen is used to search for assessment in MAGI.

MAGI – CASE AND ASSESSMENT SEARCHES

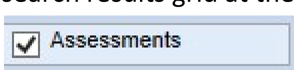


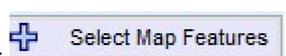
Assessment Search Screen



Search Criteria

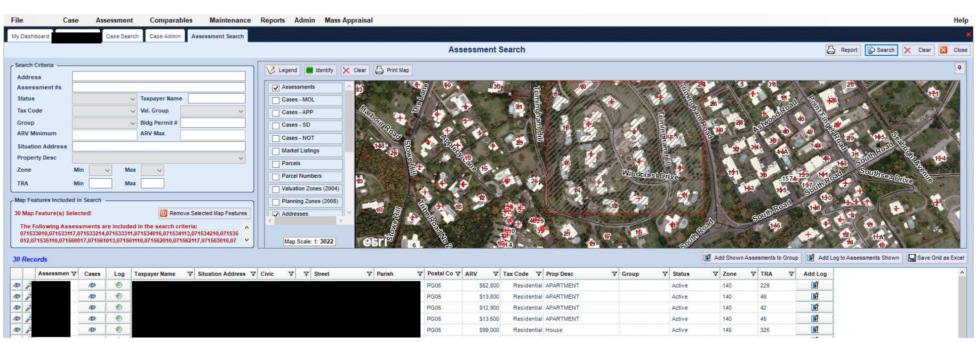
Similar to the Case Search, enter the search criteria in the specific search fields, and click 

. Remember, you can use * for ***wildcard searches*** in the search fields. The search results for the selected search criteria will display in the search results grid at the bottom of the screen. You can also search for assessments via the map by first selecting 

on the map. Next click 

in the search criteria. This will prompt you to draw a rectangle around the assessments that you wish to search on the map. The assessment numbers will appear in **red** in the search criteria. Click 

to display the search results in the bottom results grid.



MAGI – CASE AND ASSESSMENT SEARCHES

Search Results

The search results are displayed in the data grid in the lower part of the screen. The records contain different background colours based on their assessment status. By default, the background of a record is white, meaning that the status of the assessment is Active. If the background colour is **red**, the assessment is Inactive. When the background colour is **orange**, the status of the assessment is Provisional i.e. a new created assessment number against an active MoL case that has not yet been completed.

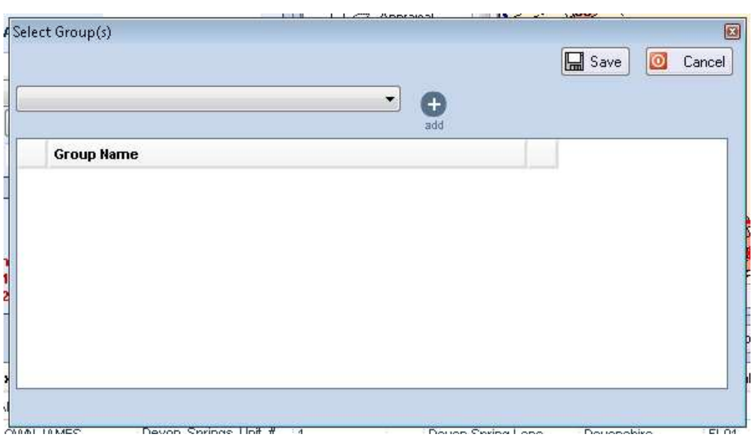
The search results can be further refined by using the filters in the various search result columns. Individual assessments can be opened, by clicking . Additionally, you can zoom to the property location on the map, by clicking .

The assessment search results can also be saved as an Excel spreadsheet, by clicking Save Grid as Excel. To clear the search criteria, click Clear.

Add Shown Assessments to Group

Groups are used to identify associated assessments together, such as assessments in a condominium development, an office building, having the same exemption classification etc. Adding Groups to assessment makes searching for related assessments easier.

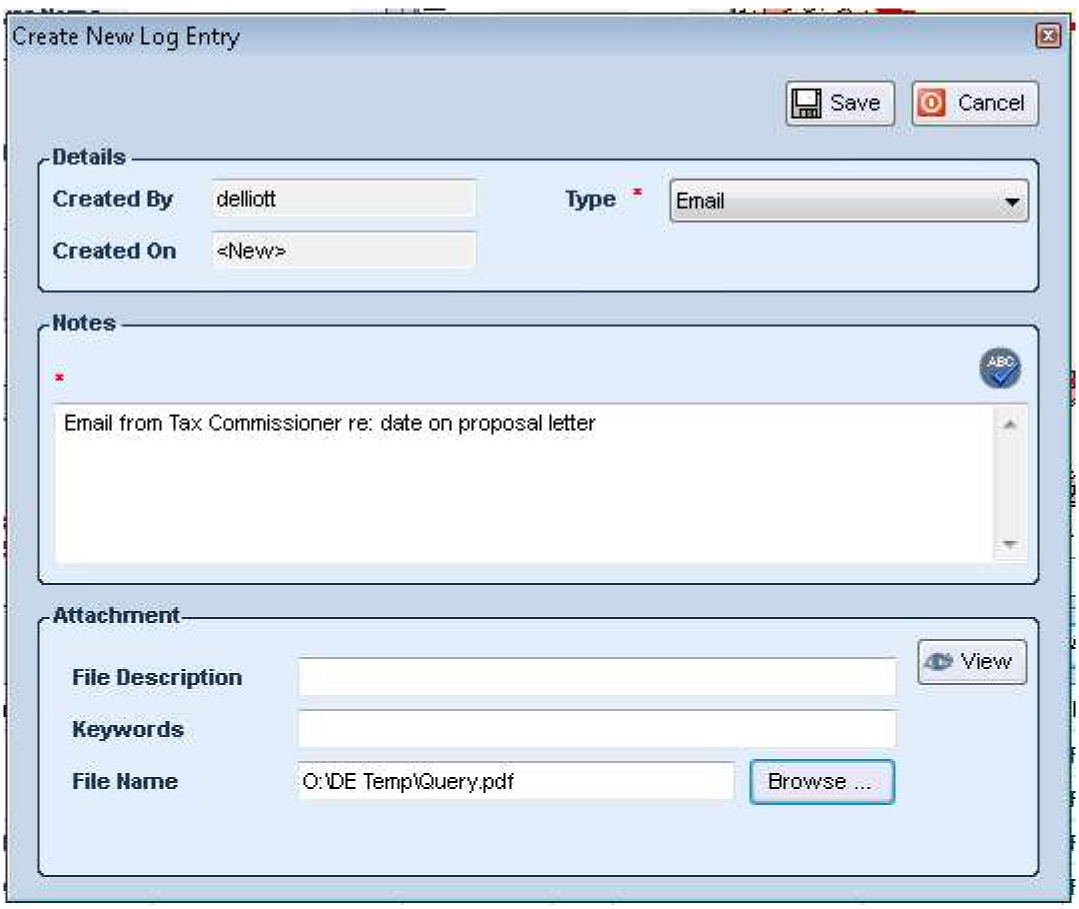
You can add a Group to the assessments in the search results by clicking Add Shown Assesments to Group. Select the group from the drop down menu, click add and then click Save. This will add the selected Group to the assessments shown in the search results.



Add Log to Assessments Shown

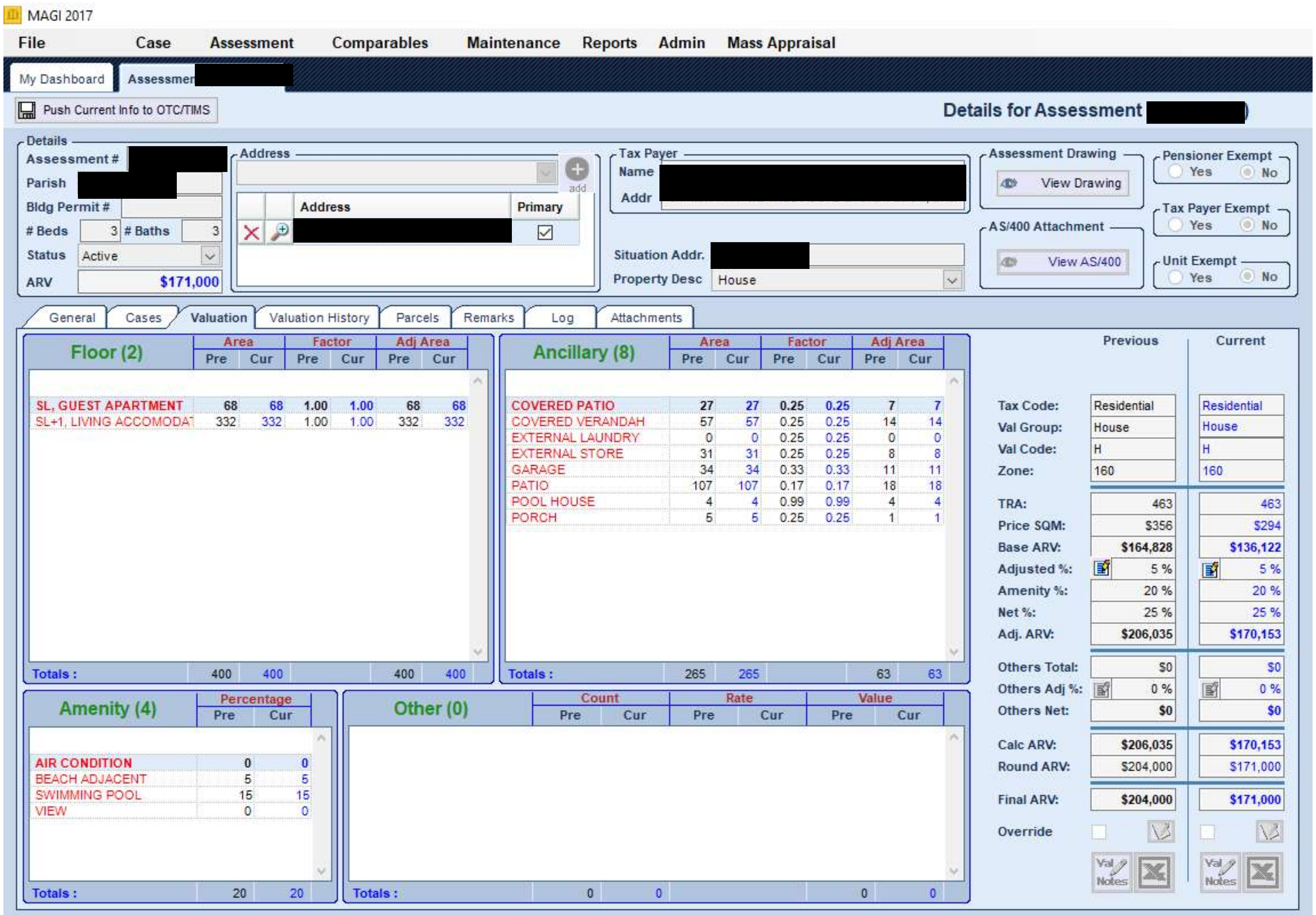
Similar to the Case Search, you can add a Log and accompanying attachments to the assessments shown in the search results by clicking [Add Log to Assessments Shown].

Select the log type from the Type drop down menu and type a brief description of the log in the mandatory Notes field. If required, add the attachment by clicking [Browse ...]. There is no need to add a File Description or Keywords. Click [Save]. This will add the Log and attachment to the assessments shown in the search results.



MAGI – DETAILS FOR ASSESSMENT SCREEN

Each assessment, whether its status is Active, Provisional or Inactive, has a Details for Assessment screen.



This screen contains all the information associated with that particular assessment that is in MAGI. Upon selection of an assessment, the Details for Assessment screen is opened, containing the detailed assessment information.

Clicking 

allows certain fields in the screen to be edited (fields change from grey to white) without creating a MoL case e.g. address and situation address.

Details

- This is the top section of the screen and contains basic information about the assessment, such as the address, status, ARV, taxpayer information etc.

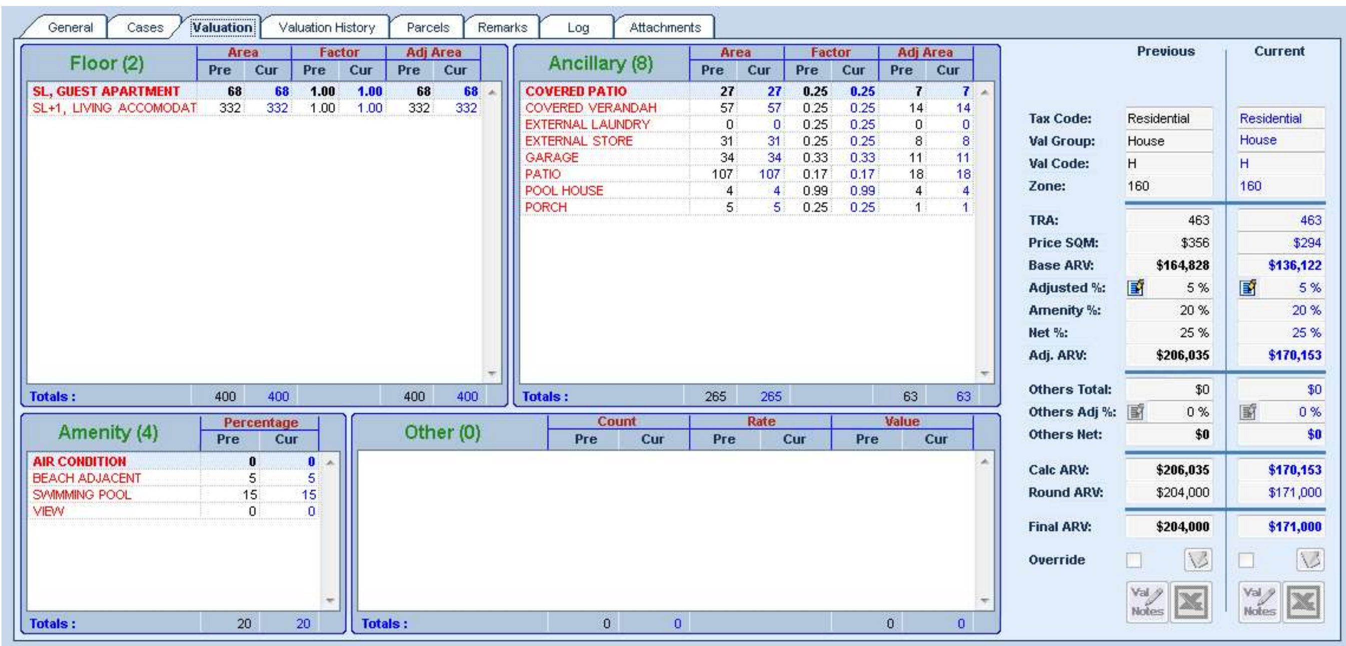
MAGI – DETAILS FOR ASSESSMENT SCREEN

Information Tabs

There are eight individual tabs in the Details for Assessment screen. When initially opened, the screen automatically defaults to the Valuation tab.

Valuation Tab

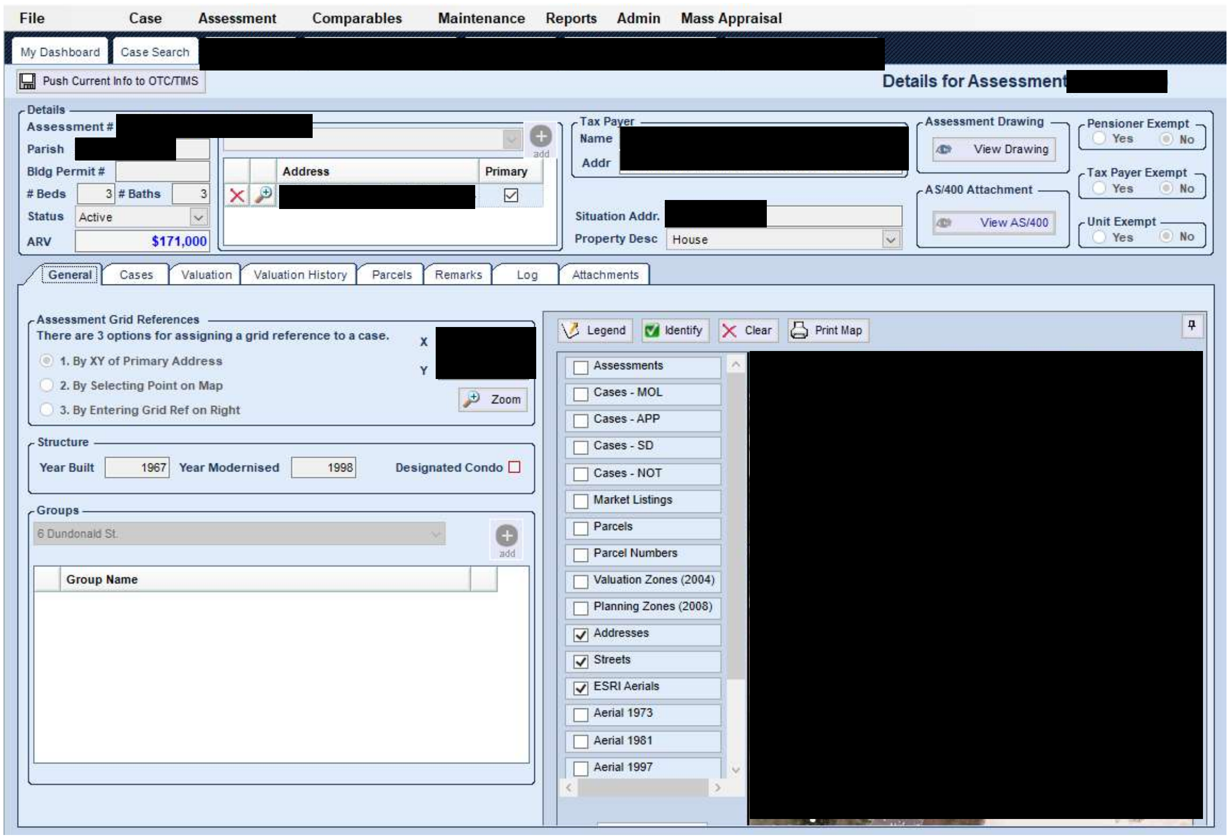
The ***Valuation*** tab is the default tab when opening an assessment account. This tab contains information about the Current and Previous ARV Valuations, in addition to the floor, ancillary, amenity and other details included in the ARV valuation.



MAGI – DETAILS FOR ASSESSMENT SCREEN

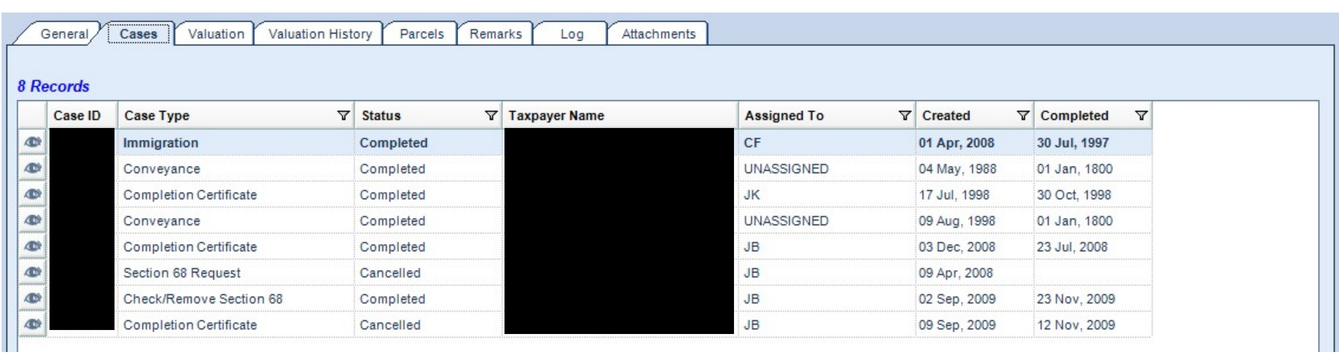
General Tab

The ***General*** tab contains information about the locational grid references, structure and associated groups for the assessment.



Cases Tab

The ***Cases*** tab contains all cases that are associated with the assessment. The cases are listed in ascending Case ID number order. Each case can be opened, but clicking .



	Case ID	Case Type	Status	Taxpayer Name	Assigned To	Created	Completed
	[redacted]	Immigration	Completed	[redacted]	CF	01 Apr, 2008	30 Jul, 1997
		Conveyance	Completed		UNASSIGNED	04 May, 1988	01 Jan, 1800
		Completion Certificate	Completed		JK	17 Jul, 1998	30 Oct, 1998
		Conveyance	Completed		UNASSIGNED	09 Aug, 1998	01 Jan, 1800
		Completion Certificate	Completed		JB	03 Dec, 2008	23 Jul, 2008
		Section 68 Request	Cancelled		JB	09 Apr, 2008	
		Check/Remove Section 68	Completed		JB	02 Sep, 2009	23 Nov, 2009
		Completion Certificate	Cancelled		JB	09 Sep, 2009	12 Nov, 2009

MAGI – DETAILS FOR ASSESSMENT SCREEN

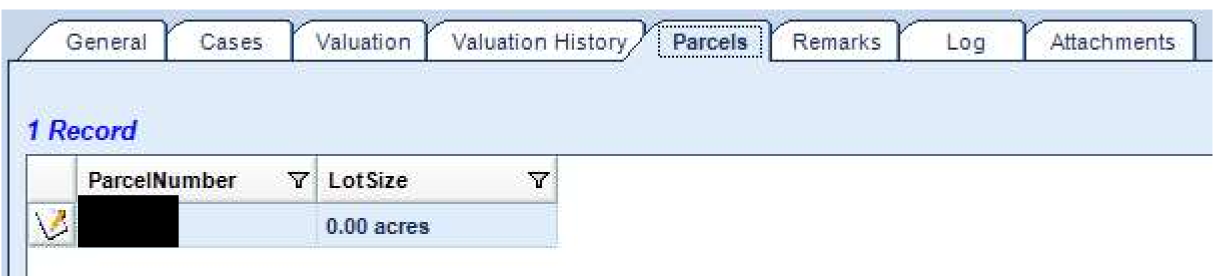
Valuation History Tab

The ***Valuation History*** tab contains information about previous ARV valuations, including the last entry in the Valuation Lists from 2004. The previous valuation are listed by the date of valuation descending. Each valuation can be opened, but clicking , which opens up the Valuation Viewer.

Case ID	Valued By	Val Date	Effective Date	Status	Tax Code	Val Type	Val Code	Zone	ARV
[redacted]		06 Jan, 2016		Complete	Residential	House	H	160	$204,000
[redacted]		15 Jan, 2010		Complete	Residential	House	H	160	$222,000
[redacted]	Diane Elliott	13 Nov, 2009	10 Jun, 2009	Active	Residential	House	H	160	$222,000
[redacted]	Diane Elliott	09 Jun, 2008	01 Jan, 2008	Complete	Residential	House	H		$0
[redacted]	Unassigned Unassigned			Complete	Residential	House	H	160	$216,000

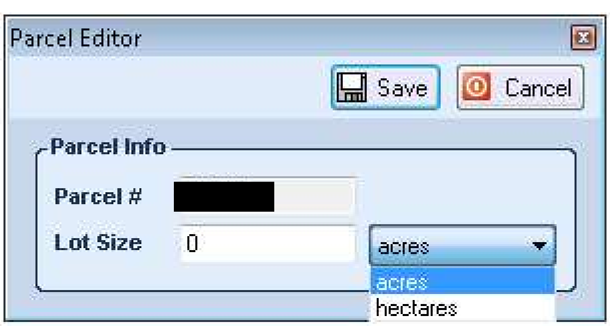
Parcels Tab

The ***Parcels*** tab contains the parcel number associated with the assessment and the lot size, if recorded.



ParcelNumber	LotSize
[redacted]	0.00 acres

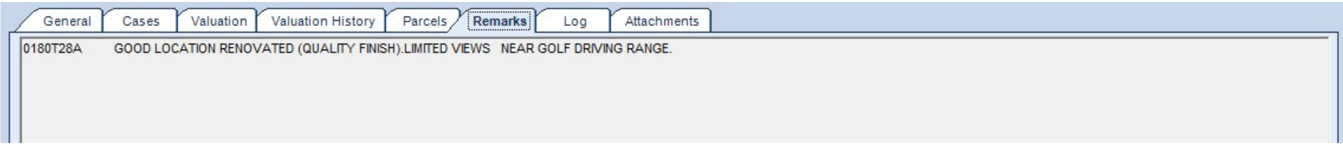
The lot size for the parcel can be added here. The Parcel Editor is opened by clicking , the lot size (acres or hectares) is added and the information saved, by clicking .



MAGI – DETAILS FOR ASSESSMENT SCREEN

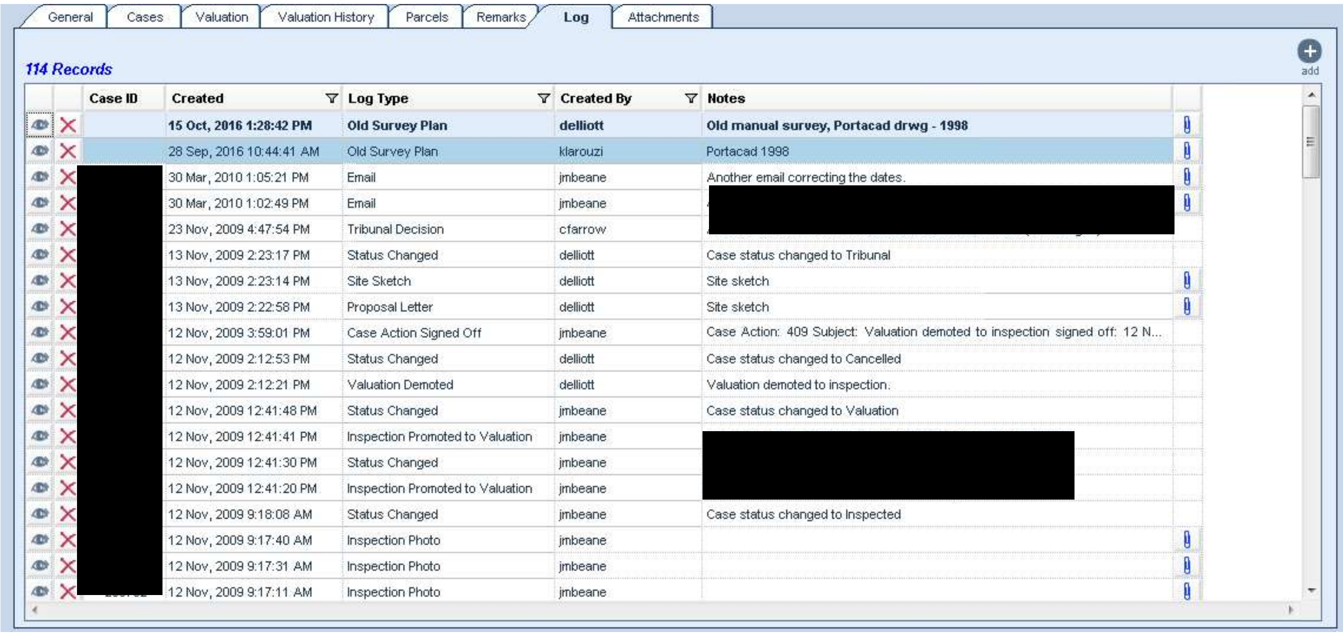
Remarks Tab

The ***Remarks*** tab currently contains information, such as Portacad drawing file names and other details, which was migrated from the previous I.T. database. Additional notes/comments/information in reference to the assessment can be added to the Remarks tab.



Log Tab

The ***Log*** tab contains a log of activity of changes and attachments to the assessment. The logs are listed by date of creation from most recent to oldest. To open the log, click or the attachment, click .



MAGI – DETAILS FOR ASSESSMENT SCREEN

Attachments Log

The ***Attachments*** log tab does not contain any information. It is a redundant tab as all attachments to the assessment are located in the Log tab. This tab will be repurposed as part of the next phase of MAGI upgrades.

MAINTAINING THE VALUATION LIST

Performance Measure

The Department is committed to amending the Valuation List for all changes within ***20 working days*** of receiving notification of a change to a property. The target outcome of achievement is included in the Budget Book and can vary from 100% achievement rate, as required e.g. due to staff vacancies, revaluation project etc.

Make sure to review the current Budget Book for the target outcome for the existing fiscal year.

The Process

As existing properties are altered, new properties built or others demolished, the Department has to make modifications to the Annual Rental Values (ARVs) in the Valuation List to reflect these changes.

A ***property inspection*** is usually the result of three (3) triggers:

- receipt of a Certificate of Completion and Occupancy (Completion Certificate) from the Department of Planning
- notification to the Department of property changes by members of the public
- the creation of cases internally by the Department

It should be noted that Planning Department was historically our main "feeder" Department as 75% of the Department's Maintenance of the List (MoL) work was triggered by receipt of the Completion Certificates. However, since Fall 2017 this has changed (for a myriad of reasons – see Concluding Remarks section for more details) and during the first quarter of 2018, 50% of the Department's MoL case work is the due to the receipt of a Completion Certificate from Planning.

Our two Departments continue to work closely together and since Summer 2017, we have quarterly meetings to discuss related matters.

The process for amending the Valuation List is in the following stages, which will each be looked at in detail:

Stage 1 – Case creation and notification to taxpayer of impending inspection

Stage 2 – Survey of the property

Stage 3 – Valuation of the property based on the works undertaken

Stage 4 – Proposal letter notifying the taxpayer of the changes to the property

Stage 5 – Objection period

STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

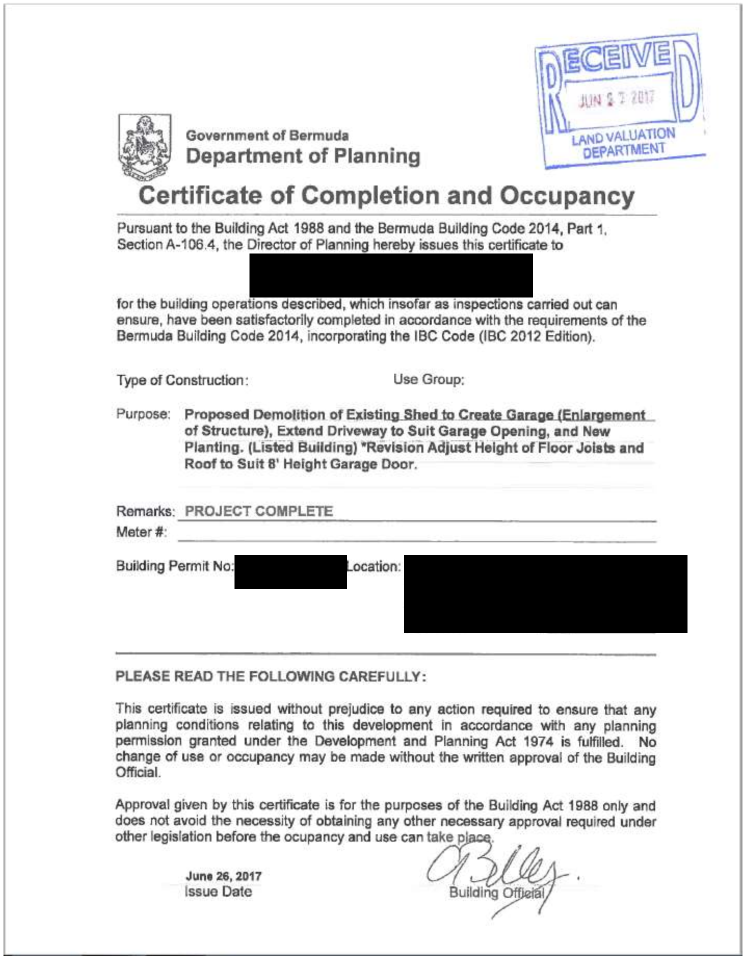
Completion Certificates

As previously mentioned, half of the MoL cases are created in the MAGI database as the result of receipt a Completion Certificate from the Planning Department.

The Certificate contains the following pertinent information:

- ***Building Permit number*** e.g [redacted] indicates that this is the [redacted] permit granting building approval in the year [redacted]
- ***Address of the property*** (every permit should ideally have an address on it, even new builds)
- Name of the ***Applicant*** (this may not necessarily be the property owner and could be the agent, architect etc.)
- The ***Purpose*** is a description of the building works, with any revisions to the permit included.
- The ***Remarks*** indicates if all the works described in the Purpose are complete, or partial completion
- ***Issue Date*** is the date the works are completed and is normally used as the effective date for taxation purposes (unless a different effective date is determined)

Example of a Completion Certificate



DECEIVED
JUN 2 7 2017
LAND VALUATION DEPARTMENT

Government of Bermuda
Department of Planning

Certificate of Completion and Occupancy

Pursuant to the Building Act 1988 and the Bermuda Building Code 2014, Part 1, Section A-106.4, the Director of Planning hereby issues this certificate to

[redacted]

for the building operations described, which insofar as inspections carried out can ensure, have been satisfactorily completed in accordance with the requirements of the Bermuda Building Code 2014, incorporating the IBC Code (IBC 2012 Edition).

Type of Construction: Use Group:

Purpose: **Proposed Demolition of Existing Shed to Create Garage (Enlargement of Structure), Extend Driveway to Suit Garage Opening, and New Planting. (Listed Building) *Revision Adjust Height of Floor Joists and Roof to Suit 8' Height Garage Door.**

Remarks: PROJECT COMPLETE

Meter #:

Building Permit No: [redacted] Location: [redacted]

PLEASE READ THE FOLLOWING CAREFULLY:

This certificate is issued without prejudice to any action required to ensure that any planning conditions relating to this development in accordance with any planning permission granted under the Development and Planning Act 1974 is fulfilled. No change of use or occupancy may be made without the written approval of the Building Official.

Approval given by this certificate is for the purposes of the Building Act 1988 only and does not avoid the necessity of obtaining any other necessary approval required under other legislation before the ocupancy and use can take place.

June 26, 2017
Issue Date

Building Official

STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

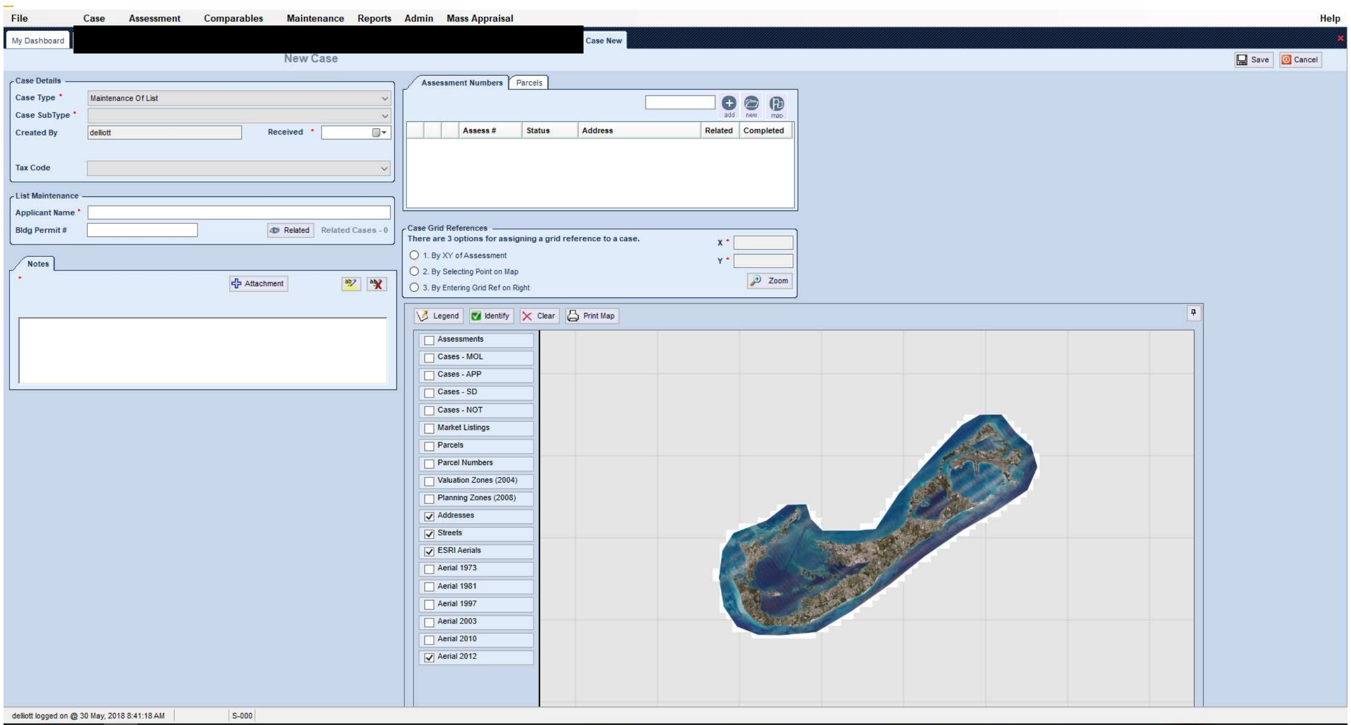
Case Creation – Completion Certificates

All MoL cases need to be created in MAGI. Completion Certificates are normally emailed to the Clerk/Receptionist, as well as the two Assistant Directors by the Permits Processor in the Planning Department.

The Clerk/Receptionist creates the cases in MAGI, by selecting 

in the Case drop down menu.

This opens the ***Case New*** screen.



The following must now be completed:

- Select Case Type "Maintenance of List" and Case Sub Type "Completion Certificate" (* required fields)
- Select the date the Completion Certificate was received via the calendar (* required field)
- Select the correct or primary Tax Code (Residential, Commercial or Tourist)
- Input the Applicant's Name (* required field) and Building Permit number in their respective fields

STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

- Input the Purpose and Remarks in the Notes field and any other pertinent information (* required field)
- Attach the Completion Certificate via the Attachment button
- Attach the correct assessment numbers for existing valuation units (this can be done by entering the assessment numbers or via the add button, which opens the Assessment Search
- Attach the correct parcel number and grid reference number (* required field). MAGI automatically does this if there are existing assessment numbers.

When the new case is Saved Save , MAGI automatically:

- assigns a Case ID number to the case
- records the name of the person who created the case
- records the Status as Active
- records the case as Unassigned
- records the Priority as Normal

- logs the date and time the case was created
- zooms to the location on the map
- highlights the number of related cases by Building Permit and all Related (active) and Completed MAGI cases associated with each assessment number.

Any additional information and logs can now be recorded/attached against the case in MAGI, including:

- Contact details for the Applicant, Owner etc. in the Contact Details section (this can be obtained from the Revaluation Survey Form Data Entry screen, the Planning Details screen, the phone book, etc.)
- Email from Planning Department

Once all of the above is completed, the Clerk/Receptionist emails the Assistant Directors notifying them that MoL cases have been created in MAGI for review.

Case Creation – Enquiries and Proactive Cases

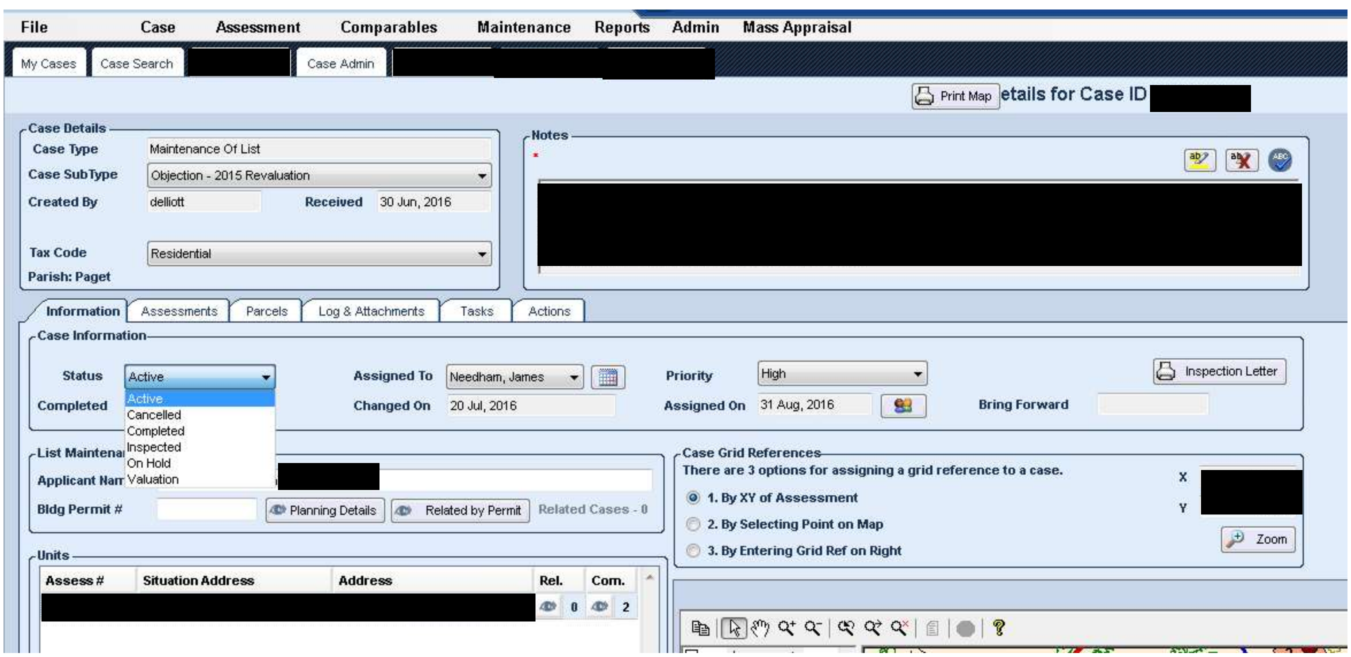
If a case is triggered other than by a Completion Certificate e.g. an enquiry, a proactive case etc., the case is usually created in MAGI by one of the Management Team members, ensuring that all the relevant data is inputted/recorded against the new case.

STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

Case Status

Each MoL case has a ***Case Status*** in the Information tab which correlates to the stages for amending the Valuation List. The case status indicates how far the case is in the valuation process and is changed by the VST or valuer depending on the stage the case is at in the valuation process.

- Active – the case is Active. It may be unassigned or assigned, but the property has not been inspected.
- Inspected – the property has been inspected, but the case is not ready to be progressed to valuation yet.
- Valuation – the case is ready to be valued.
- On Hold – the case has been put on hold. This could be for a variety of reasons, such as awaiting further details or documentation etc. Putting a case On Hold will force you to record why the case is on hold and for how long via the On Hold Details pop out box.
- Completed – the case has been completed.
- Cancelled – the case has been cancelled. In order to cancel a case you must put the reason why in order to save the case in MAGI.

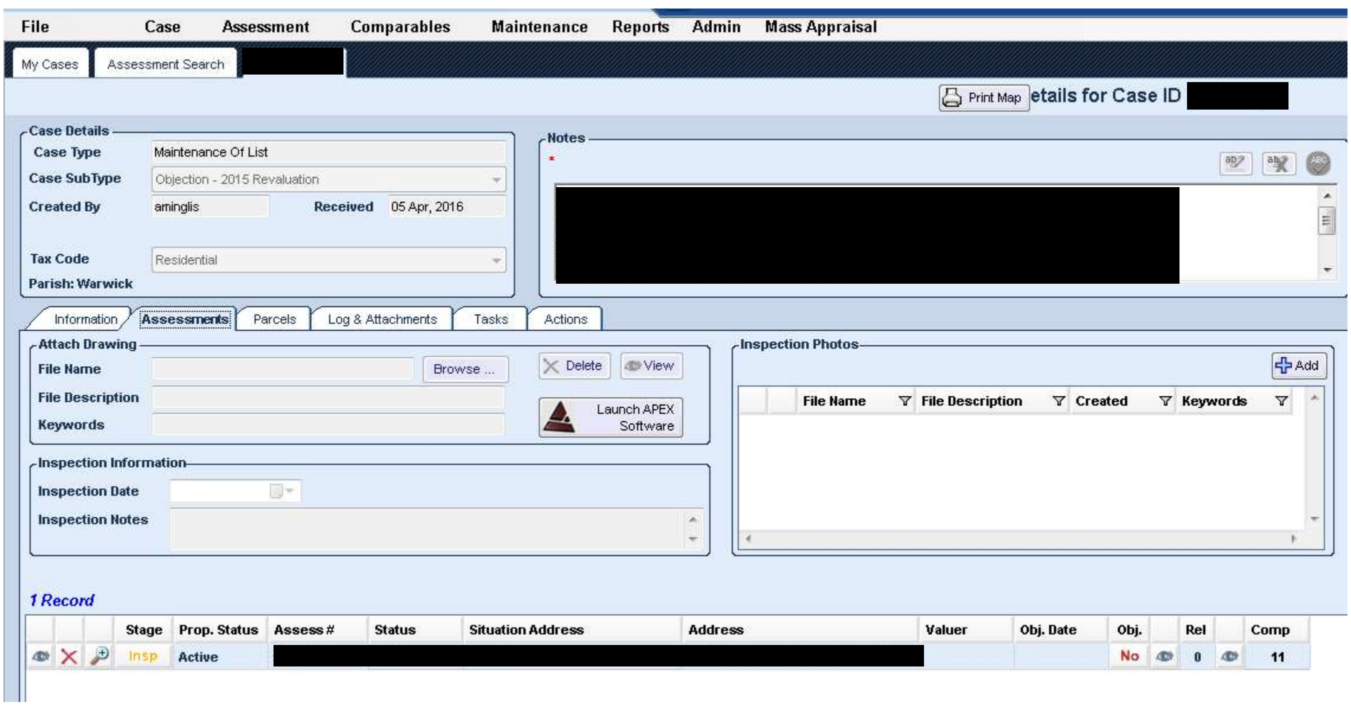


STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

Assessment Stage

Each assessment in a MoL case has an ***assessment stage*** listed under Stage in the Assessments tab which also correlates to the above stages for amending the Valuation List. The stage indicates how far the assessment is in the valuation process.

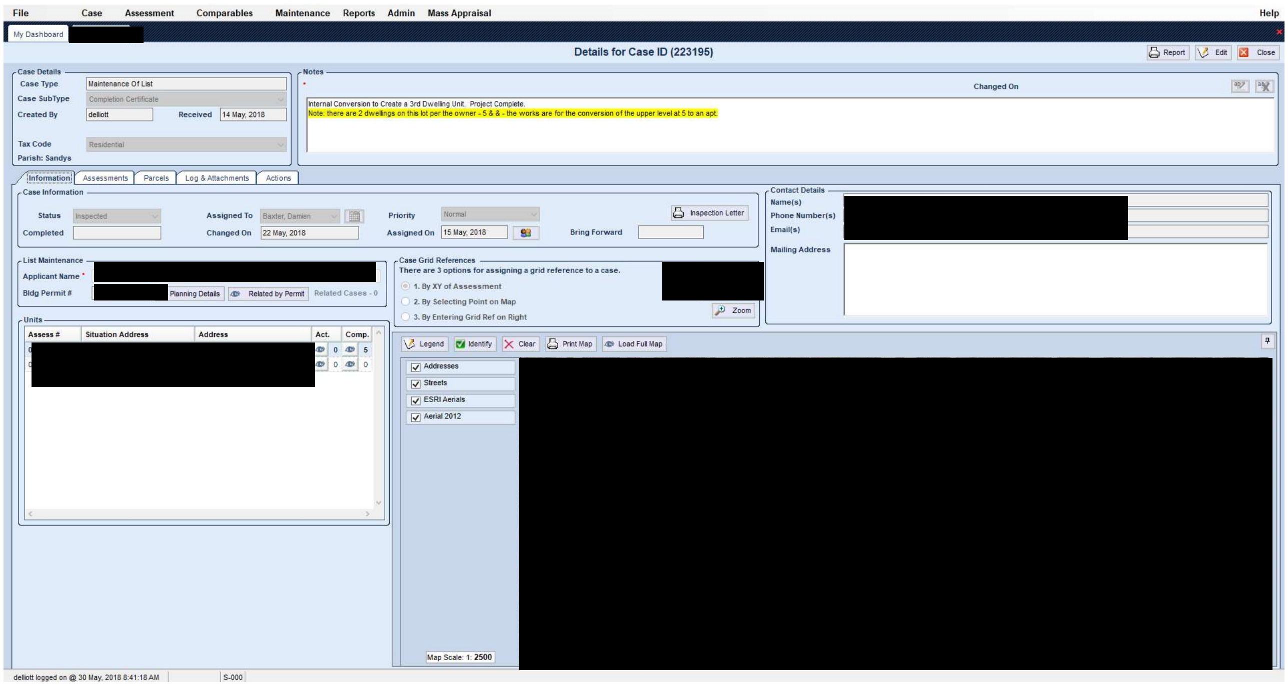
- Insp Inspection Stage, is the initial stage in the valuation process
- Value Valuation Stage, the inspection has been completed and the assessment is ready for valuation
- Comp Completed Stage, the valuation of the assessment has been completed



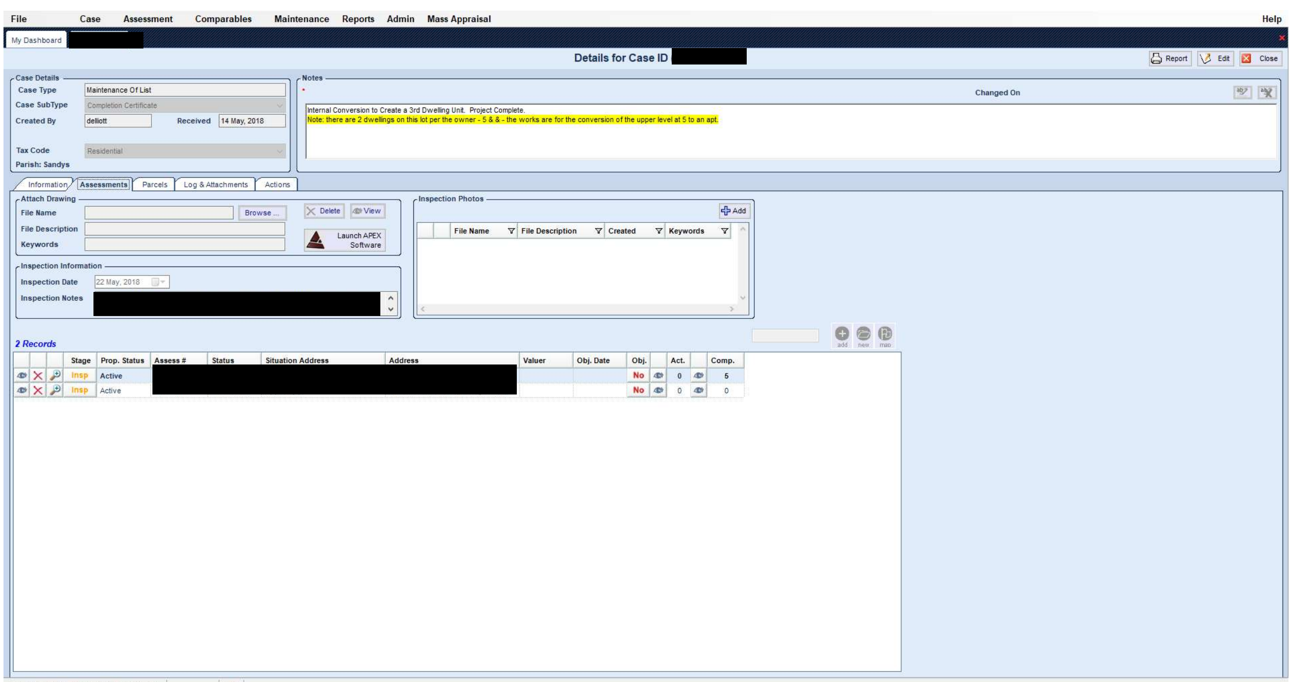
STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

Examples of a newly created MoL case

Information Tab (this is the case home screen)

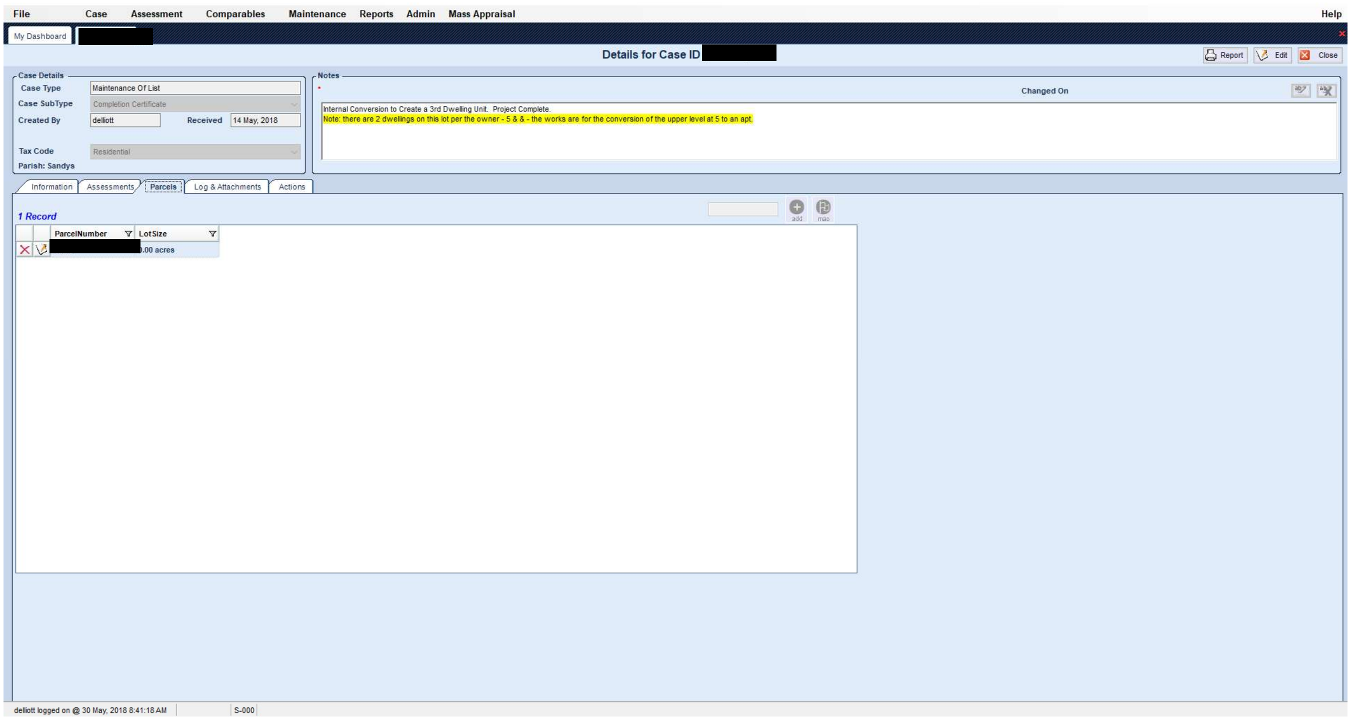


Assessments Tab (this records the existing assessment numbers, if any)

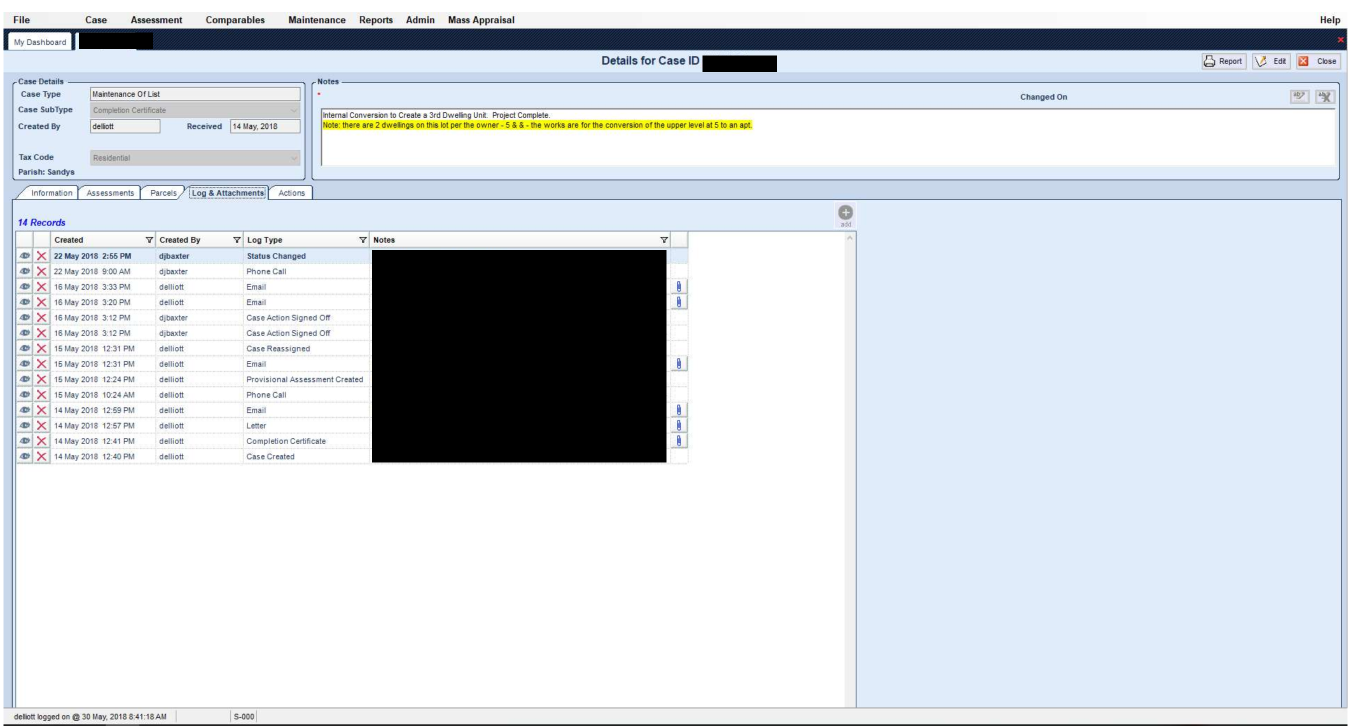


STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

Parcels Tab (this records the parcel number and lot size of the parcel, if recorded)



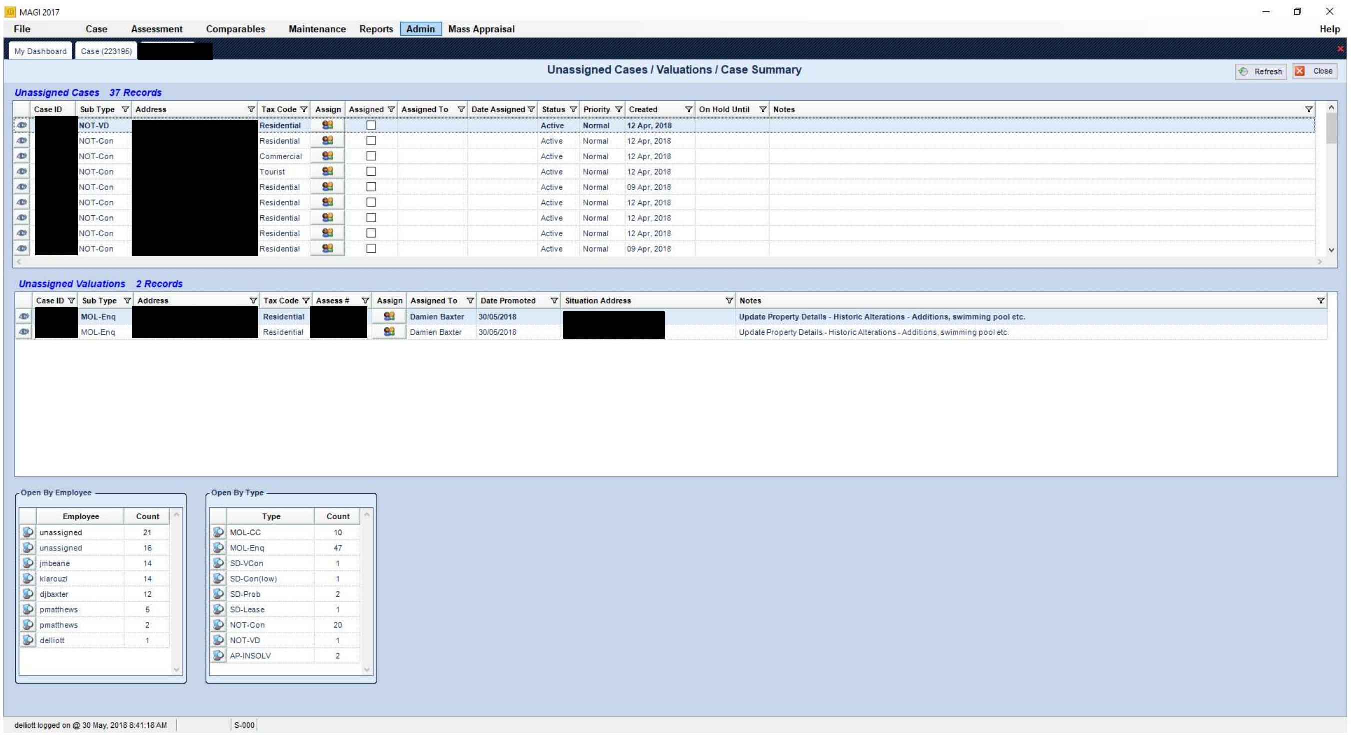
Log & Attachments Tab (this records all case logs and attachments)



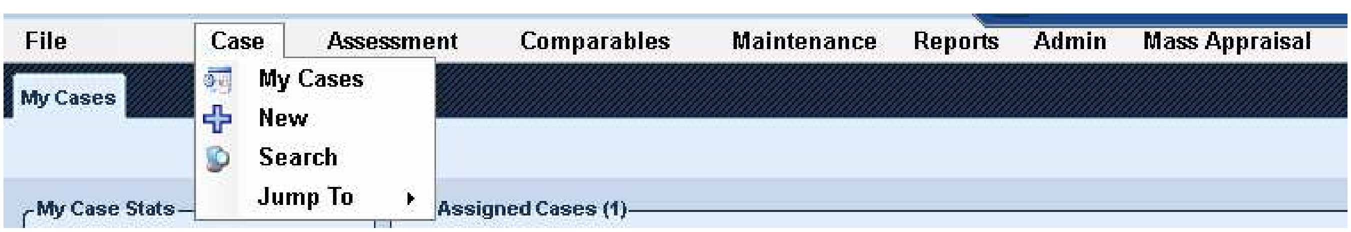
STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

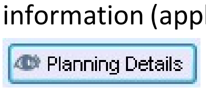
Case Review

All unassigned cases are listed in the ***Unassigned Cases/ Valuations / Case Summary*** screen, which is located in the Admin tab in MAGI.



Unassigned cases can be opened via the Admin tab or via Case Search or Case Jump To in the Case tab.



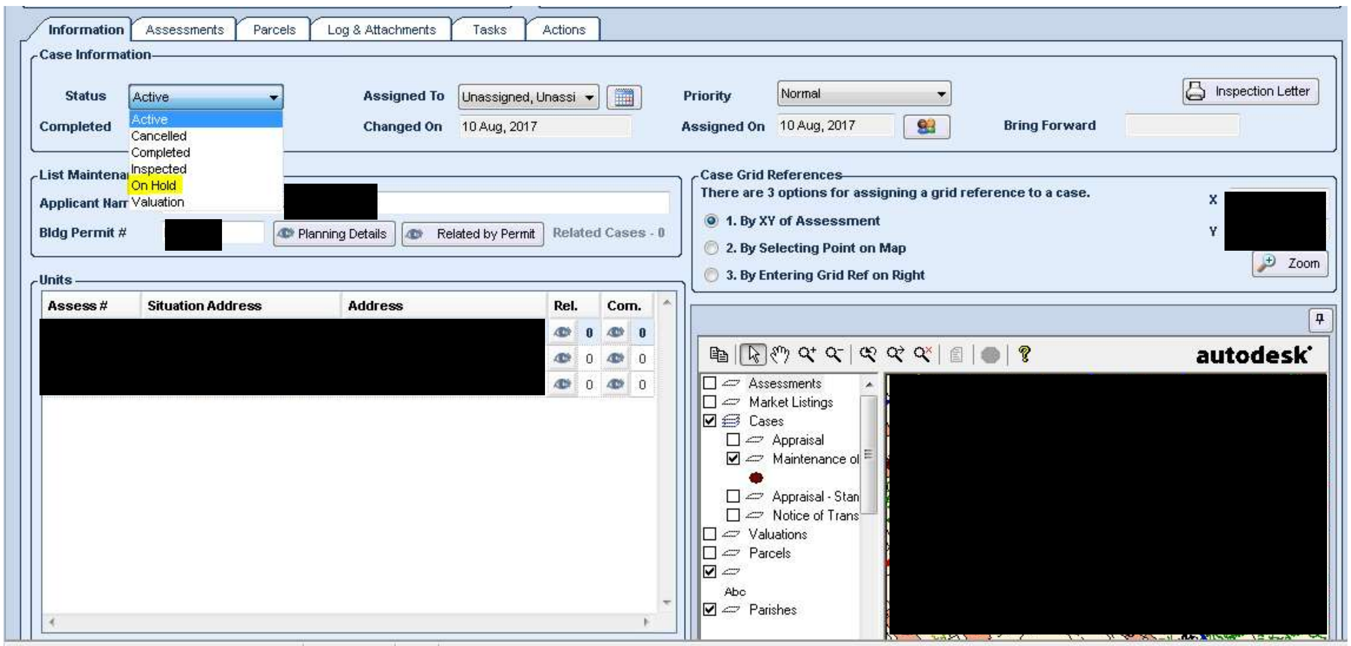
The ***new case is to be reviewed*** to confirm that the correct details are recorded/attached to the case, to determine if an inspection by a Valuation Survey Technician (VST) is required and if the case is Normal or High Priority. Useful information (applicant details, inspection log etc.) can also be obtained from the Building Permit details by clicking 

in the Information tab.

STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

Putting a Case On Hold

It is at this stage that the case may be put On Hold, as additional information may be needed before the Inspection Letter can be issued. A case is put on hold by changing the Status in the Information tab to On Hold in the drop down menu.



This will automatically open a pop up box, where you must enter the Bring Forward date and the reason for putting the case on hold in the Notes field.

STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

Click the case 

button to save all changes. The Status of the case will automatically be changed from On Hold to Active on the Bring Forward date. The Status can also be changed manually prior to the Bring Forward date.

Is an Inspection needed?

The previous policy of the Department was to inspect the property, irrespective of the works, as this provided an opportunity for the Department to update its records and generate a digital drawing of the valuation units.

However, now that all the manual survey drawings have been scanned and attached to the assessment numbers in MAGI, MoL cases can be vetted from the desk with the aid of aerial imagery to determine if there have been any physical changes to a buildings footprint. Additionally, the Department has a spreadsheet (as of August 2017) of the 13,000 outstanding building permits dating back to the 1970s that have not been signed off by Planning. Only properties where there has been a change will be selected for inspection. This targeted inspection programme was rolled out in the latter half of 2017 and better utilizes the limited resources of the Department.

When vetting cases to determine if an inspection is warranted, the following questions need to be answered:

- Is there an active MoL case? (review the Related cases)
- When was the last MoL case and inspection by the Department? (review the Completed cases)
- Is the new case for works already included in the assessment? (review the Details for Assessment)
- Is the unit exempt from land tax? (Government facility, registered schools etc.)
- Is there an outstanding building permit? (review the Active Permits spreadsheet)
- Has the Department picked up these works? (review the Completed cases)
- How does the aerial imagery compare with the latest survey drawing for the property?

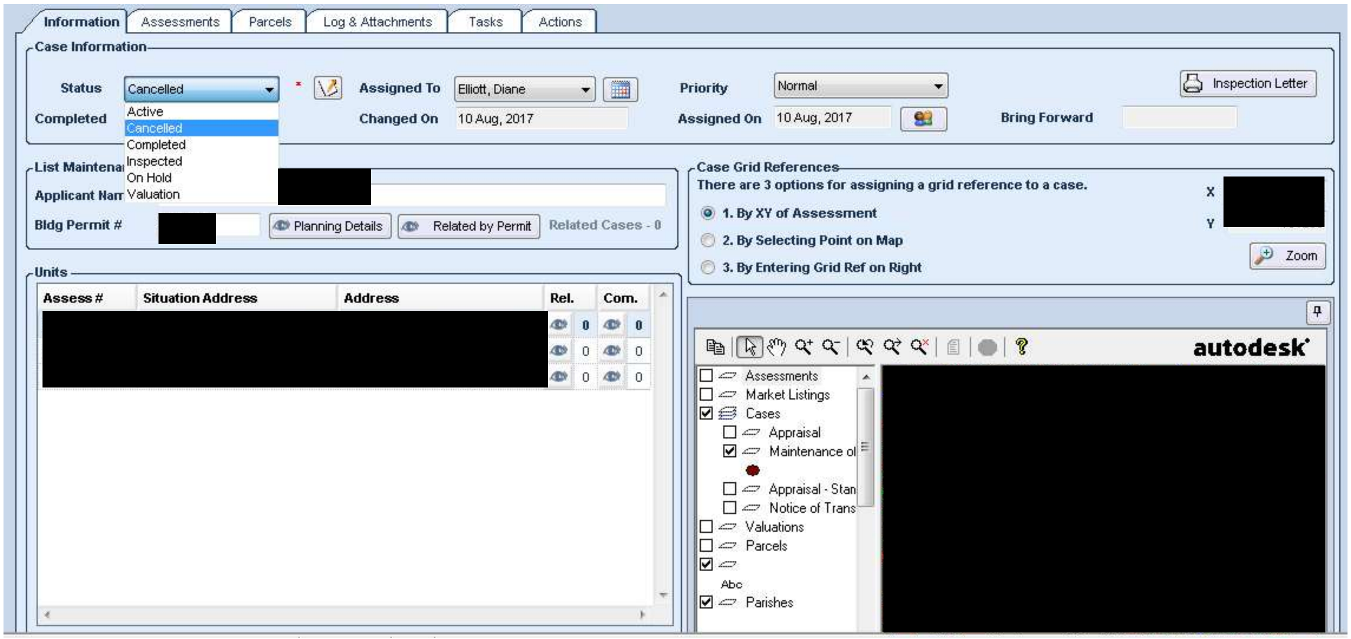
For new builds, the owner(s) needs to be verified as the Applicant on the Completion Certificate may not necessarily be the owner. This can usually be done via the Notice of Transfer document in MAGI, or simply contacting the Applicant listed against the case. Once the owner(s) has been determined, record this in the Notes field and attach the supporting documentation.

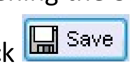
Cancelling a Case

As aforementioned, there can be for a variety of reasons for cancelling a case e.g. the unit is exempt from land taxation, therefore an inspection is not needed; there is already an active MoL case which will pick up all existing alterations to the property; the property was inspected within the last year and it can be determined that the works in the current Completion Certificate are reflected in the assessment etc.

STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

To cancel a case, first change the Assigned To field in the Information tab to your name in the drop down menu. Next, update the Notes field with the following: "RESULTS: CANCEL CASE – REASON". Select Cancelled in the drop down menu in the Status field in the Information tab.



In order to save the case, you must state the reasons for cancelling the case. This is done by opening the Status Notes pop up box by clicking . Copy the REASON in the Notes field to the pop up box and click .

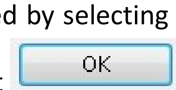
Click the case 

button to save all changes.

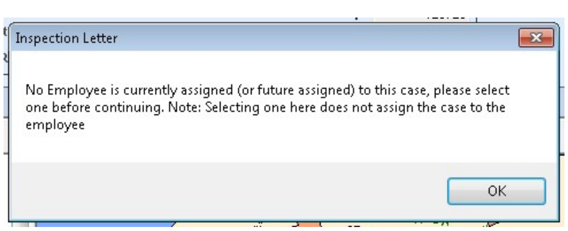
Inspection Letter

Once it has been determined that an inspection is needed, ***24 hours' written notification*** must be given of the pending inspection to the taxpayer, in accordance with ***Section 8(1)*** provisions of the Act.

The Inspection Letter can be generated by selecting 

in the Information tab in the case. This opens the Inspection Letter box, select 

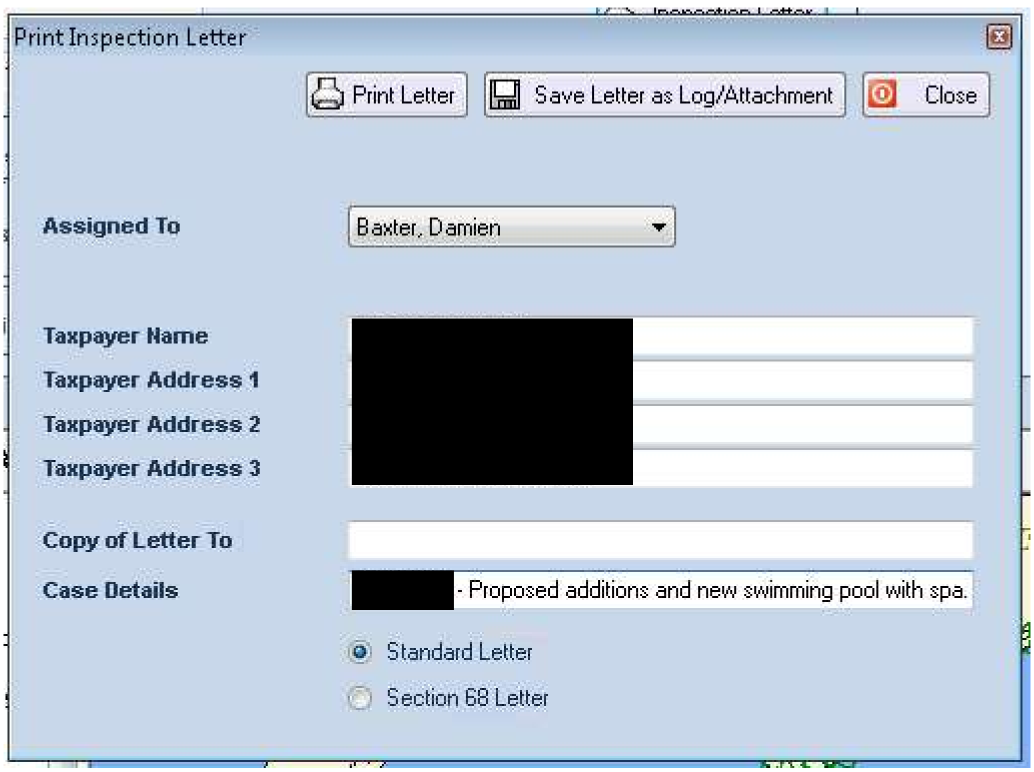
.



STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

The Print Inspection Letter box opens.

- In Assigned To, select the VST from the drop down menu (the VSTs work patches, which are rotated).
- If there are assessment numbers attached to the case, MAGI will automatically populate the Taxpayer Name and Address details (this is based on the information associated with the first assessment number). Double check that the address looks correct. For new builds, the Taxpayer name and address will need to be inputted manually.
- Select Section 68 Letter (inspection of units in an uninhabitable condition) if the Standard Letter (default selection) is not to be sent.
- Fill in the Case Details with the Building Permit number (if there is one) and a brief description of the works.
- If the Inspection Letter is to be cc'd, then fill in Copy of Letter To.



Once the necessary details have been filled in, select 

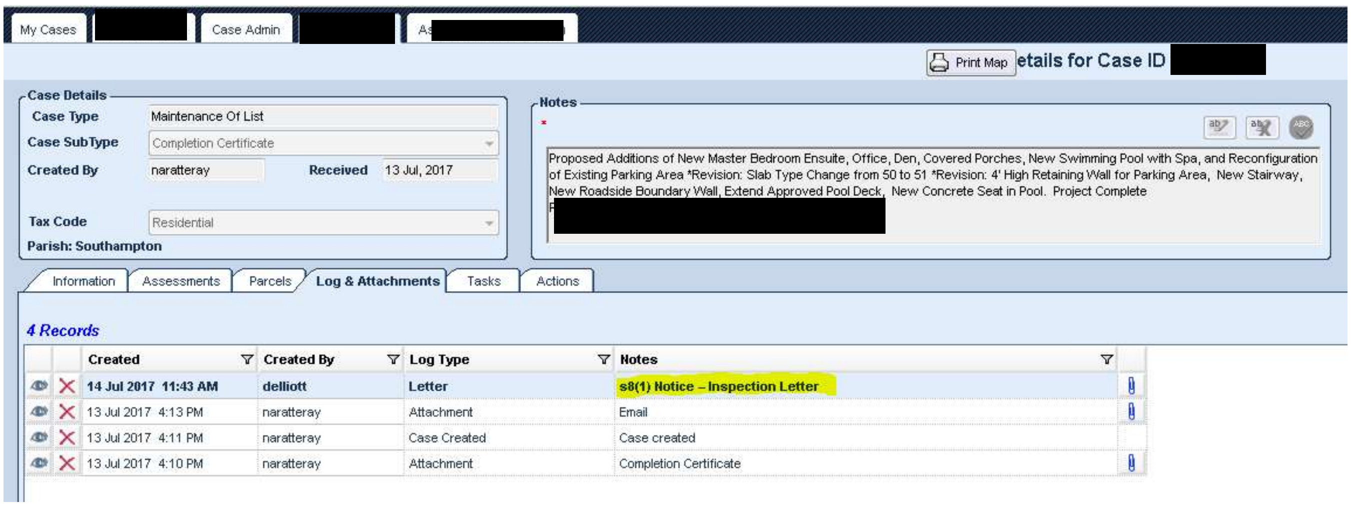
. This generates the Inspection Letter with the inputted details, today's date, as well as the name and contact details of the VST. The Inspection is to be printed double sided as the Department's Section 8(1) ***authority to enter, survey and value any valuation unit*** is printed on the back.

STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

Once the Inspection Letter has printed, select 

and then 

. The Inspection Letter is saved as a log in the Log & Attachments.



Mailing the Inspection Letter

The printed Inspection Letter is to be given to the Clerk/Receptionist for mailing, who will also insert the ***"Property Alterations – The Process" brochure*** (flyer #6) and overseas postage stamps, if required. The Letter is placed in the Department's mail tray for collection by the Post Office staff.

STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

<u>Example of Inspection Letter</u>

GOVERNMENT OF BERMUDA
Ministry of Public Works
Land Valuation Department

14 July, 2017

[redacted]

Dear Sir/ Madam,

RE: Land Valuation & Tax Act 1967 – Section 8(1) Authority to enter, survey and value any valuation unit for land tax purposes.

[redacted]

[redacted]**- Proposed additions and new swimming pool with spa. Project Complete.**

I am writing to you in reference to the alterations that have been made to the above property. In light of these changes, it is necessary for a member of staff to visit the property to conduct a survey to establish if there should be an amendment to the Valuation List. The survey, which includes taking notes, measurements and photographs of the exterior and/or interior, also provides an opportunity for the Department to update its records and pick up any additional changes which may have taken place at the property since our last survey. The site visit should occur within the next few weeks. I have included overleaf the extract from the Act that gives the authority to enter, survey and value your valuation unit for land tax purposes.

The staff member who will carry out the site visit is Damien Baxter who can be reached on (441)297-7967 or by email at djbaxter@gov.bm should you have any questions about the survey, wish to be present during the survey or if you have a dog which would need to be secured. Damien Baxter will have photo identification.

Whilst we require internal access to commercial units as part of the survey, we do not always need to get internal access to residential units. However, in some residential cases internal access is required to take notes, measurements and photographs to record the standard of finish, division walls between apartments, tank walls etc. where it cannot be established from the outside. Should this be necessary we will arrange access with you or the occupier. All information collected during the survey will be treated as confidential and will be used for land taxation purposes only.

Upon completion of the survey, any proposed changes to the assessment will be mailed to you. Information on amending the Valuation List, factors affecting your Annual Rental Value and other frequently asked questions can be viewed on the Bermuda Government portal www.gov.bm by searching for the Land Valuation Department. You can also visit www.landvaluation.bm to search the Valuation List for your Annual Rental Value.

Yours Faithfully,

D. Elliott

Director, Land Valuation Department

Global House, 43 Church Street, Hamilton HM 12
P.O. Box HM 1384, Hamilton HM FX, Bermuda
Phone (441) 297-7964 Email: delliott@gov.bm Website: www.landvaluation.bm
"We value Bermuda"

STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

Back side of Inspection Letter

Land Valuation and Tax Act 1967

Power to enter valuation unit

8 (1) The Director and any person authorized by him in writing in that behalf shall have power, at all reasonable times and after giving not less than twenty-four hours notice in writing, and, in the case of a person authorized as aforesaid, on production, if so required, of his authority, to enter, survey and value any valuation unit.

(2) If any person wilfully delays or obstructs any person in the exercise of any of his powers under this section, he commits an offence:

Punishment on summary conviction: a fine of $5,000.

(3) It shall be the duty of every police officer, at the request of the Director, to render such assistance as may be necessary to enable any person duly authorized to exercise his powers under this section.

Case Assignment

The case now needs to be assigned to the VST in MAGI. This is done via 

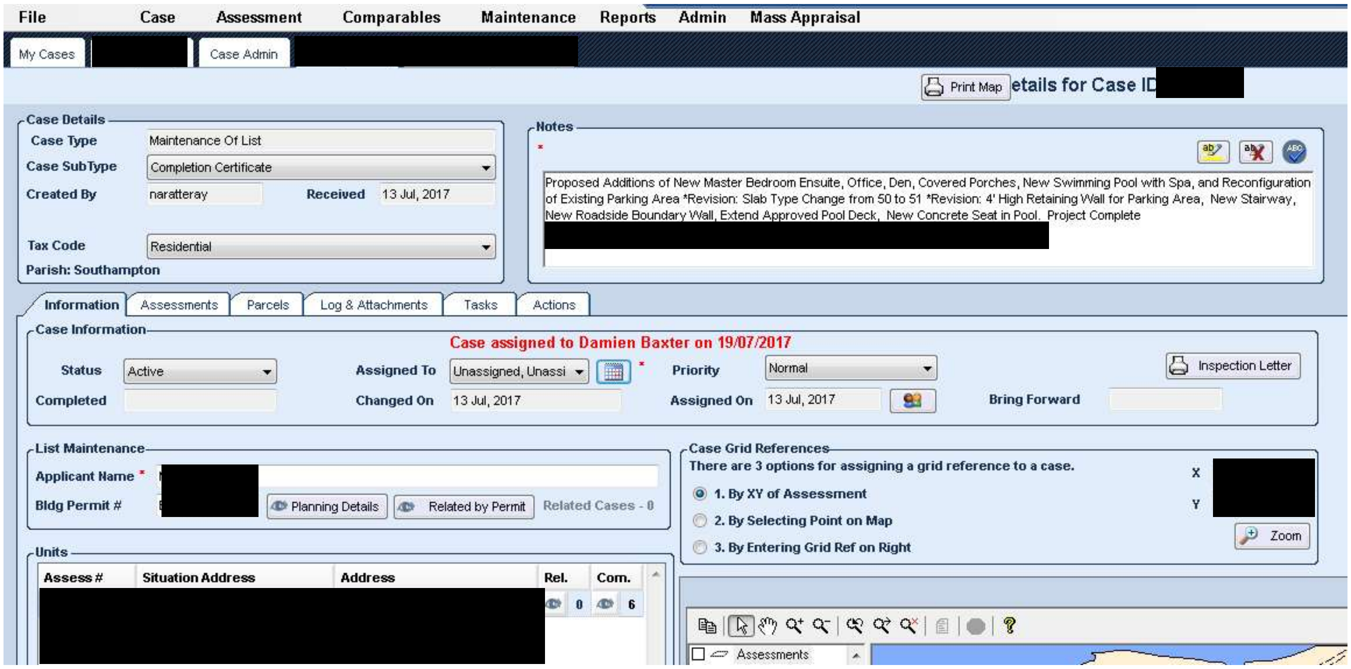
in the Information tab in the case.

Select the calendar icon, which opens the Assign Case box. Select the VST in the Assign To drop down menu and hit 

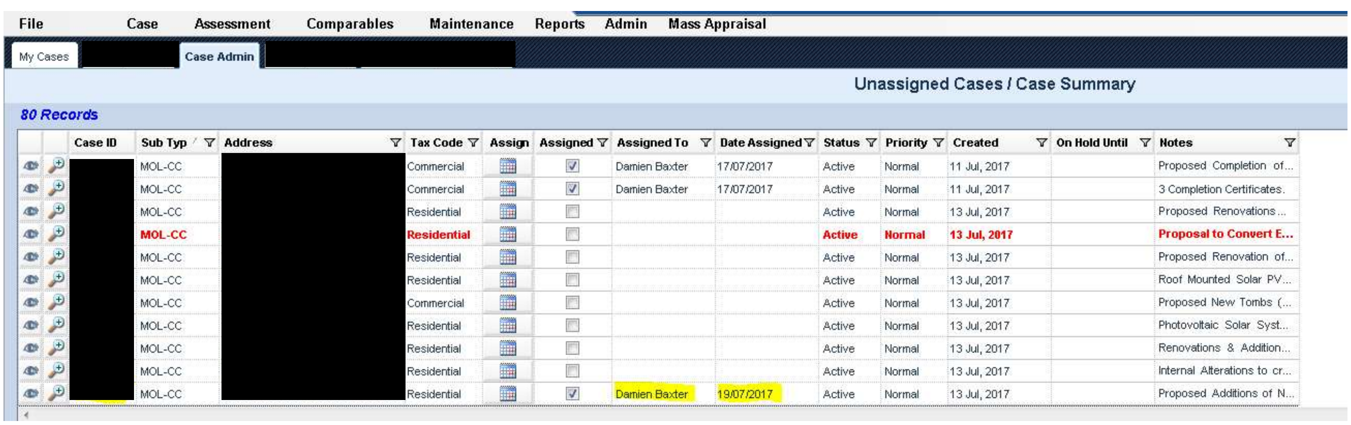
. The Assign On date automatically defaults to three working days from the date of the Inspection Letter. This is in accordance with ***Section 72(3)*** provisions of the Act – three days deemed delivery for prepaid post.

STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

The Information tab now highlights in **red** that the case will be assigned to the VST on the specific date.



The Case Admin tab is updated to reflect that the case will be assigned to a VST, with the Date Assigned.



Case ID	Sub Typ	Address	Tax Code	Assign	Assigned	Assigned To	Date Assigned	Status	Priority	Created	On Hold Until	Notes
[redacted]	MOL-CC	[redacted]	Commercial		☑	Damien Baxter	17/07/2017	Active	Normal	11 Jul, 2017		Proposed Completion of...
	MOL-CC		Commercial		☑	Damien Baxter	17/07/2017	Active	Normal	11 Jul, 2017		3 Completion Certificates.
	MOL-CC		Residential		☐			Active	Normal	13 Jul, 2017		Proposed Renovations ...
	MOL-CC		**Residential**		☐			**Active**	**Normal**	**13 Jul, 2017**		**Proposal to Convert E...**
	MOL-CC		Residential		☐			Active	Normal	13 Jul, 2017		Proposed Renovation of...
	MOL-CC		Residential		☐			Active	Normal	13 Jul, 2017		Roof Mounted Solar PV...
	MOL-CC		Commercial		☐			Active	Normal	13 Jul, 2017		Proposed New Tombs (...
	MOL-CC		Residential		☐			Active	Normal	13 Jul, 2017		Photovoltaic Solar Syst...
	MOL-CC		Residential		☐			Active	Normal	13 Jul, 2017		Renovations & Addition...
	MOL-CC		Residential		☐			Active	Normal	13 Jul, 2017		Internal Alterations to cr...
	MOL-CC		Residential		☑	Damien Baxter	19/07/2017	Active	Normal	13 Jul, 2017		Proposed Additions of N...

MAGI automatically assigns the case to the VST in ***three working days***. On that date, the VST receives an ***Action*** in MAGI notifying them that the case has been assigned to them. This Action is to be Signed Off by the VST, and the originator of the Action (the person who generated the Inspection Letter) will receive an email notification in MS Outlook that the VST has signed off the Action.

STAGE 1 – CASE CREATION AND TAXPAYER NOTIFICATION

Case Immediately Assigned

If the case is to be assigned immediately to the VST (Inspection letter has been hand collected, hand delivered or emailed as opposed to posted in the mail), select 

, which automatically assigns the case to the VST.

The case can also be immediately assigned to the VST via 

in the Information tab. Simply select the VST from the drop down menu and Save.

Once a case is assigned, it will not be recorded in the Case Admin as it is no longer an unassigned case.

STAGE 2 – SURVEY OF THE PROPERTY

The next stage in Maintaining the Valuation List is for the property to be surveyed.

Role of the VST

The role of the VST is essential to meeting the 20 working day performance measure for MoL case work. Thus, each VST has the following ***specific work objectives*** that contribute to the success of the Department in this area:

1. Undertake the ***accurate survey of properties*** and the collection of property data in accordance with Department guidelines and procedures for the purpose of assessing properties for land tax. This includes the inspection, measurement and collection of data of demolished, altered or new properties.

2. ***Create annotated digital drawings*** for each case from the survey data collected, showing the accommodation, ancillary uses, amenities and any other valuation related data in accordance with the Department's Apex drawing standards.

3. Maintain a ***high standard of on-site data capture and transcription*** to the Department's MAGI IT database to ensure the accuracy and veracity of land tax assessments.

4. Efficiently and effectively manage assigned cases to ensure that ***performance targets*** are met: (a) submit Maintenance of the List cases for valuation weekly and within 15 working days of assignment; (b) submit for valuation an average target of 25 Maintenance of the List cases per month; (c) respond to inquiries within 2 working days of receipt.

Handbook for the VST

In order to perform ARV valuations in MAGI, it is imperative that you familiarize yourself with the contents of the VST Handbook. This Handbook is a ***comprehensive overview*** of the role and responsibilities of the VST, including the Department's policies and procedures in relation to their duties.

Provisional Assessment Numbers

Each bona fide valuation unit has an assessment number and in accordance with Section 1, Interpretation of the Act:

"valuation unit", means any land, building or part of a building occupied or capable of beneficial occupation as a separate unit.

As previously stated, an assessment number can be Active, Inactive (for a deleted valuation unit) or Provisional. A provisional number is an assessment that does not have any valuation details associated with the assessment yet.

STAGE 2 – SURVEY OF THE PROPERTY

It is the policy of the Department to conduct the inspection prior to issuing a provisional assessment number. However, there are occasions when an assessment number is requested prior to the inspection and this is usually in the case of a newly built unit.

The Department must be satisfied that the unit is a bona fide valuation unit prior to the creation of the provisional assessment number. The Department has a set of stock questions for this purpose, which are stored on the Network drive, as well as hardcopies placed under the reception counter, which can be filled in directly at the counter by persons.

The standard questions include the following:

1. Does the new unit have a name or apartment number?

2. Please describe its location i.e. upper, lower, north, south etc.

3. Is there an internal connection (e.g. a door) with the other unit(s)?

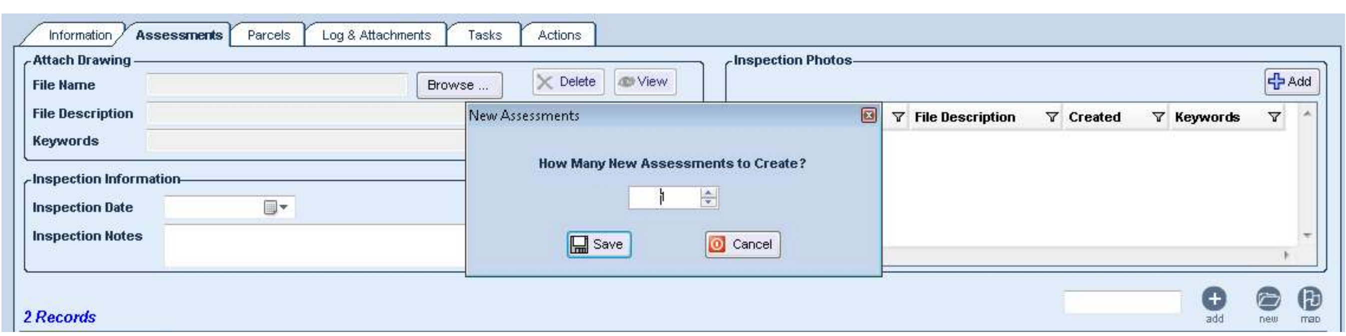
The Department also uses the request as an opportunity to gather contact details (phone numbers, email(s), preferred mailing address etc.) for the owner and to ascertain whether there are any dogs at the property which will need to be put away for the inspection.

Once it has been determined that the unit is a bona fide valuation unit (based on the responses), a provisional assessment number can be generated by one of the Senior Managers.

<u>Creating a Provisional Assessment Number</u>
Provisional assessment numbers can only be created within a MoL case.

In the Assessments tab, click 

and select how many new assessment numbers you wish to create in the New Assessments pop up box.



STAGE 2 – SURVEY OF THE PROPERTY

Then click Save which will add the new assessment as the last entry in the grid with the Stage of New.

2 Records

add new map

Stage	Prop. Status	Assess #	Status	Situation Address	Address	Valuer	Obj. Date	Obj.	Rel	Comp
Insp	Active	[redacted]						No	0	16
New	Active	[New]			[No Address]			No	0	0

Click New in Stage to open the Assessment New pop up box.

Assessment #: Enter the parish number (first two digits) and tick the Sequential box SQN. MAGI will automatically generate the next sequential assessment number for that parish and update the Parish field with the corresponding parish name. Creating the assessment number will then allow the other fields to be edited.

Tax Code: This field must be filled in. Choose the correct tax code from the drop down menu.

Val Group: Input the valuation group, if known (this can be changed).

Property Desc: Select ***Provisional Assessment Number*** from the drop down menu.

Sit. Address: Input the situation address for the unit.

Address: Start typing in the property address in the Address field and MAGI will return matching addresses. Choose the correct address from the drop down menu and click add.

Assessment Grid References: As every address has grid references associated with it, select 1. By XY of Primary Address and the grid reference will auto populate the X and Y fields.

Groups: If needed, select the group from the drop down menu and click add.

Saving the Provisional Assessment Number

To save all the inputted details, click Save.

Progressing the case to Valuation

When the VST progresses a case to the Valuation Stage, this means that all the relevant information has been recorded and/or attached in MAGI and the details inputted in the Inspection Viewer have been double checked and are correct. Assessments can be demoted, however, either upon request from a VST or by the valuer so that additional changes can be made prior to the Valuation Stage.

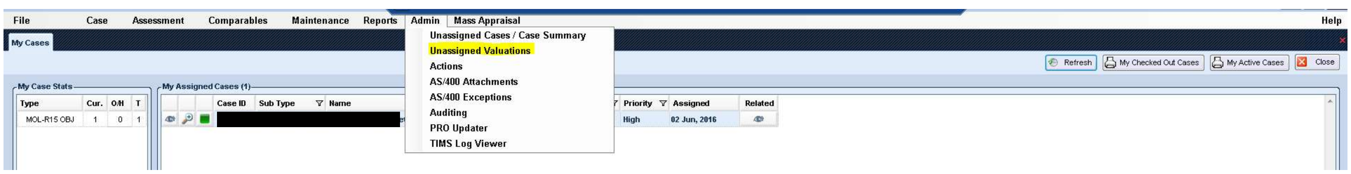
STAGE 3 – VALUATION OF THE PROPERTY

In most instances, ***the valuer*** has not physically inspected the property and therefore, ***relies solely on the information collected by the VST in order to undertake the valuation***.

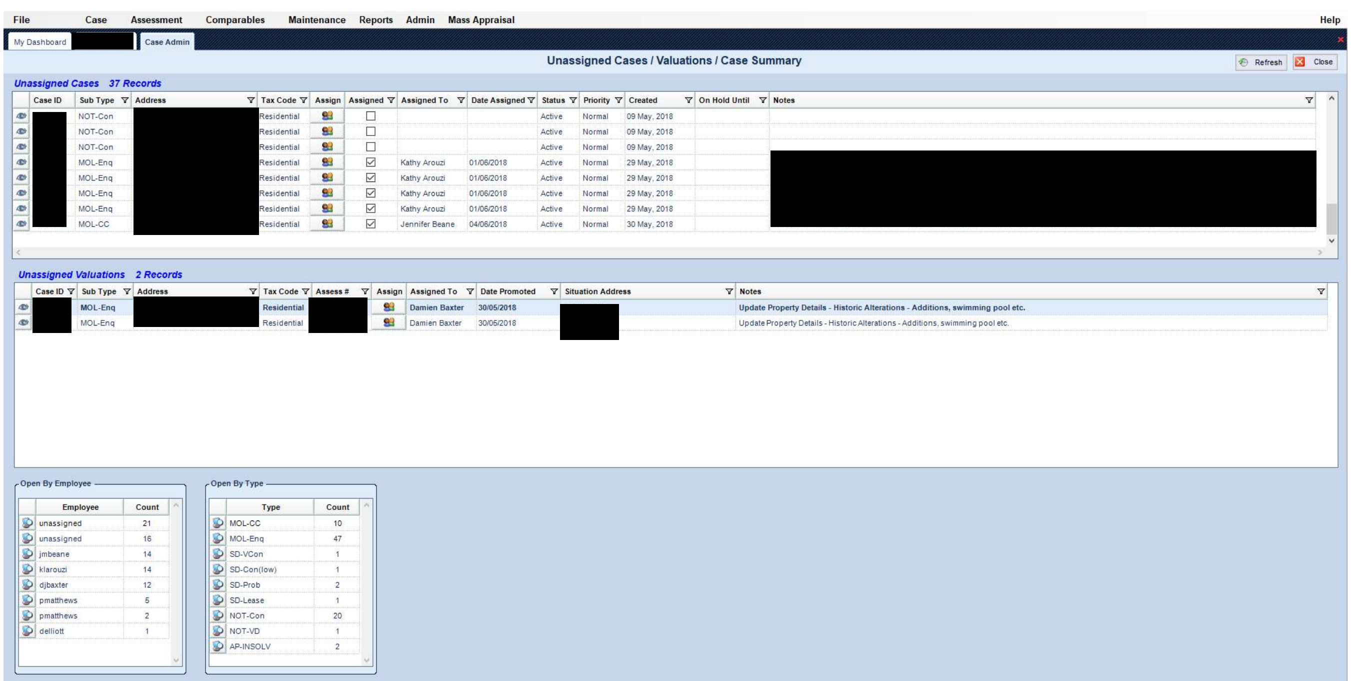
Similar to the VST, the role of the valuer is essential to meeting the 20 working day performance measure for MoL case work. It is the goal of the valuer to complete the MoL case within ***5 working days*** of the case being progressed to the Valuation Stage.

Unassigned Valuation Cases

All unassigned cases for valuation are listed in the Admin tab, under ***Unassigned Cases / Valuations / Unassigned Valuations*** in the drop down menu (updated May 2018).



The Unassigned Valuations table lists details about each MoL case and assessment awaiting valuation. Assessments can be assigned individually by clicking or the case can be opened by clicking .



STAGE 3 – VALUATION OF THE PROPERTY

Case Details

Upon opening the MoL case, take time to review the home screen and the information contained in each tab – Information, Assessments, Parcels, Log & Attachments, Tasks and Actions. This will provide you with a good overview of the case, the building works and any matters of special note/consideration.

The VST should have recorded and/or attached the following to the case:

Information tab

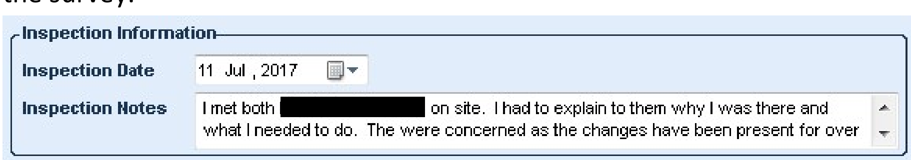
- Changed the Status to Valuation 

- Inputted any additional contact information in the Notes field, special requests from the taxpayer, such as emailing the proposal letter etc.

Assessments tab

- Attached the new Apex digital drawing

- Inputted the Inspection Date and Inspection Notes. It should also be noted if there was no one present for the survey.



- Attached the photographs with corresponding geo reference File Names

STAGE 3 – VALUATION OF THE PROPERTY

- Promoted the assessments to the Value Stage

3 Records

			Stage
			Value
			Value
			Value

<u>Log & Attachments tab</u>

- Attached the previous survey plan (if not an Apex drawing or already attached to the assessment number)
- Attached their site sketch
- Attached any logs – emails, letters, leases, documents, phone calls etc.

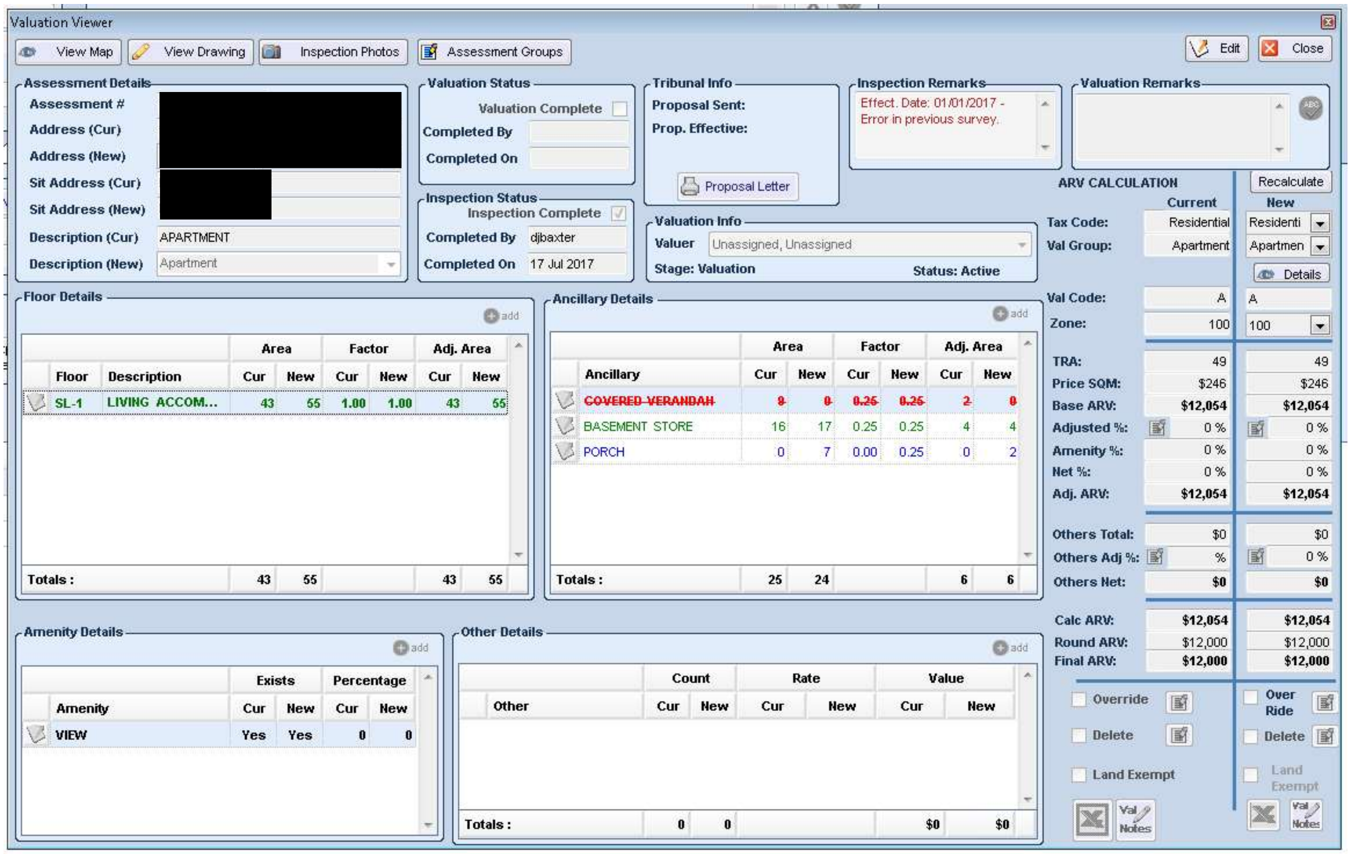
Information | Assessments | Parcels | **Log & Attachments** | Tasks | Actions

24 Records

		Created	Created By	Log Type	Notes
		19 Oct 2017 4:51 PM	**djbaxter**	**Site Sketch**	**Site Sketch**
		19 Oct 2017 4:49 PM	djbaxter	Status Changed	Case status changed to Valuation
		19 Oct 2017 4:48 PM	djbaxter	Inspection Promoted to Valuation	Assessment: [redacted] Promoted from Inspection to Valuation
		19 Oct 2017 4:46 PM	djbaxter	Inspection Photo	
		19 Oct 2017 4:46 PM	djbaxter	Inspection Photo	
		19 Oct 2017 4:46 PM	djbaxter	Inspection Photo	
		19 Oct 2017 4:45 PM	djbaxter	Inspection Photo	
		19 Oct 2017 4:45 PM	djbaxter	Inspection Photo	
		19 Oct 2017 4:45 PM	djbaxter	Inspection Photo	
		19 Oct 2017 4:45 PM	djbaxter	Inspection Photo	
		19 Oct 2017 4:45 PM	djbaxter	Inspection Photo	
		19 Oct 2017 4:45 PM	djbaxter	Inspection Photo	
		19 Oct 2017 4:45 PM	djbaxter	Inspection Photo	
		19 Oct 2017 3:05 PM	djbaxter	Phone Call	[redacted]
		16 Oct 2017 11:19 AM	djbaxter	Plans	
		12 Oct 2017 12:45 PM	djbaxter	Status Changed	
		12 Oct 2017 12:45 PM	djbaxter	Site Visit	
		10 Oct 2017 9:16 AM	djbaxter	Phone Call	
		09 Oct 2017 4:23 PM	djbaxter	Case Action Signed Off	
		09 Oct 2017 4:21 PM	djbaxter	Old Survey Plan	Manual survey
		02 Oct 2017 5:13 PM	jwneedham	Letter	s8(1) Notice – Inspection Letter
		02 Oct 2017 2:14 PM	naratteray	Email	Email
		02 Oct 2017 2:10 PM	naratteray	Case Created	Case created
		02 Oct 2017 2:09 PM	naratteray	Completion Certificate	Completion Certificate

STAGE 3 – VALUATION OF THE PROPERTY

Valuation Viewer



The valuation is undertaken in the ***Valuation Viewer*** screen. To open this screen, click  in the Assessments tab. Next click  to open the screen.

The Valuation Viewer contains various sections with information about the valuation unit to assist with the new ARV calculation. The map, Apex drawing, inspection photos and assessment groups can all be opened in the Valuation Viewer.

Valuation Info

Firstly, you need to assign the valuation to yourself. This is done by selecting your name from the drop down menu in the Valuation Info section.

STAGE 3 – VALUATION OF THE PROPERTY

Inspection Status

The Inspection Status will record the user name of the VST and the date the assessment number was promoted to Value stage. This information is auto populated by MAGI.

Inspection Remarks

The Inspection Remarks would have been completed by the VST, with the Effective date and brief notes/comments relating to the specific valuation unit.

Details Sections (Floor, Ancillary, Amenity and Other) - Colour Coding Scheme

The Valuation Viewer has the following colour coding scheme for the Details sections (Floor, Ancillary, Amenity and Other):

Black – no changes to the line entry

Green – line entry has been changed

~~Red~~ – line entry has been deleted

Blue – new line entry

Floor Details

This records the floor level, description, areas, factor and adjusted area for the valuation unit. The VST would have updated this information in the Inspection View and MAGI shows this as the current (Cur) details and the proposed (New) details. As the valuer, you are to confirm that the floor details are correct. This is done by reviewing the site sketch, Apex drawing and photographs.

The Floor Editor can be opened by clicking . Details regarding the floor can be changed here. The default factor for all floor levels is 1.00. Should you deviate from this factor, you must put the reason for the change in the Notes field. Standard deviations from factor 1.00 are for limited/poor natural lighting (factor 0.85) and open to below spaces (factor 0.50).

STAGE 3 – VALUATION OF THE PROPERTY

Ancillary Details

Like the Floor Details, this records information about the ancillaries associated with the valuation unit. The VST would have updated this information in the Inspection Viewer, which must be verified by the valuer, as above. The standard ancillaries and factors are listed in Section 7 – Property Valuation Methodology of the VST Handbook. The Ancillary Editor can be opened to make changes to the line entries and factors.

Amenity Details

Same as the Floor and Ancillary Details, the amenities associated with the valuation unit are recorded here. See Section 7 of the VST Handbook for the list of amenities and standard percentages. The Amenity Editor can be opened to make changes to the line entries and factors.

Other Details

This is typically used for commercial and tourist units to record information such as petrol throughput, number of docks, parking spaces, hotel bed spaces, spot valuations etc. The Other Editor can be opened to make changes to the line entries and factors.

Assessment Details

Once the Details (Floor, Ancillary, Amenity and Other) have all been checked and verified, the new Situation Address (Sit Address) and new Description can now be confirmed/updated. Note, the VST would have updated the Sit Address in the Inspection Viewer, but this may need to be revised following the review of the case by the valuer.

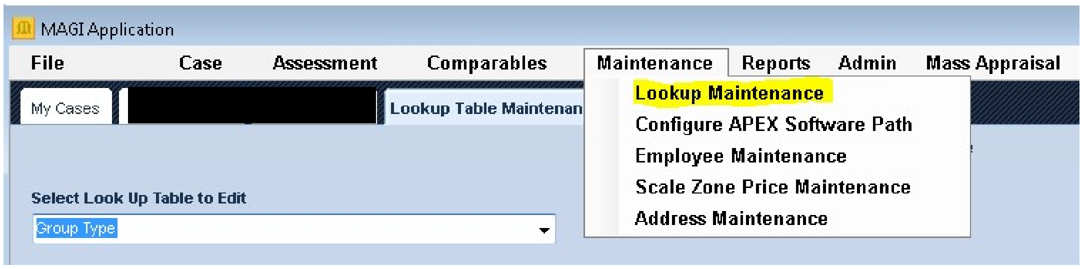
Assessment Groups

Assessment Groups can be added or removed by clicking 

. As previously mentioned, these include group names for commercial buildings, condo and townhouse developments, apartment blocks, exemptions etc. For example, if the valuation unit is incapable of beneficial occupation, the group "Exempt – S68" would need to be added. Likewise, this exemption would need to be removed if the building works are complete and the unit is now capable of beneficial occupation. The group is attached by selecting it from the drop down tab and clicking 

, or removed by clicking . Multiple groups can also be attached to the same valuation unit/assessment. The complete listing of the groups is located in the Maintenance Tab, by selecting Lookup Maintenance in the drop down menu and then Group Type in the Select Look Up Table to Edit box.

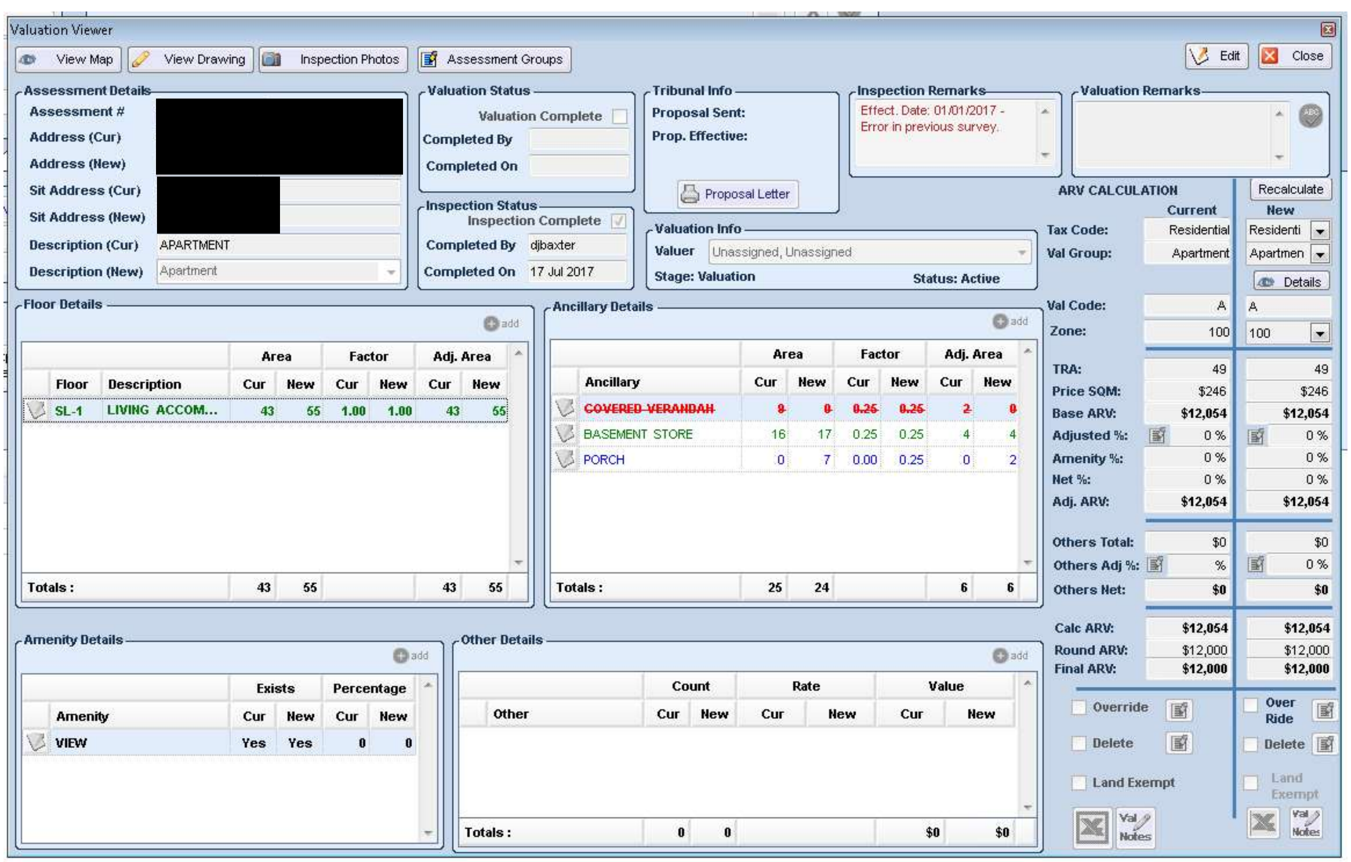
STAGE 3 – VALUATION OF THE PROPERTY



ARV Calculation

This is where the New ARV calculation is done. First click Recalculate, which forces MAGI to run the new ARV calculation based on the New Details. For comparison purposes, MAGI shows the existing (Current) ARV calculation and the proposed (New) ARV calculation side by side.

For existing assessments, MAGI auto populates all of the fields in the New ARV Calculation, which can be edited. However, if the unit is to be newly entered into the Valuation List, MAGI only populates the Tax Code.



STAGE 3 – VALUATION OF THE PROPERTY

Tax Code

Each assessment must have a tax code – ***Commercial***, ***Residential*** or ***Tourist***.

Val Group

This is the Valuation Group and corresponds directly to the selected Tax Code.

Commercial – there are 149 active commercial valuation groups for uses such as offices, car parks, gas stations, offices, warehouses etc.

Residential – there are 4 active residential valuation groups:

- Apartment – where 3 or more units are touching, irrespective of size difference
- Condominium
- House – single detached residential unit or a semi-detached unit
- House/Apt – in the case of a House with one attached apartment, special rules apply to the valuation and the description. The smaller unit will always be called "Apartment". However, the larger unit will sometimes be "House" and sometimes "Apartment", depending upon its relative size to the smaller unit and its Zone.

  H/A Rule
  - The Floor Area of the larger unit must be a minimum of 100sm to be considered an H/A.
  - If the floor area of the larger unit is 62% or greater than the combined floor areas of the two units, then the larger unit is an H/A. If not, then both units are "Apartments".
  - The $/sm scales for Apts and H/As are the same for Zone 100 and below.
  - All H/As with a Zone 100 or below have the Description "Apartment" and the Sit Address should also include the word "Apartment" e.g. Upper Apt (even though the Val Group is H/A).
  - All H/As greater then Zone 100, have the Description "House" and the Sit Address should reference the house name (if there is one) or be called "Main Unit".

Tourist – there are 10 active commercial valuation groups, consisting of cottage colonies, small and large guesthouses, small and large hotels, fractionals etc.

Val Code

MAGI auto populates this field once the Val Group is selected.

Zone

The Island is grouped into 17 valuation zones, ranging from the lowest value areas (zone 80) to the highest value areas (zone 180). The zones are used primarily for Residential assessments, but are also used to value certain Tourist categories.

STAGE 3 – VALUATION OF THE PROPERTY

For existing units, MAGI auto populates this field with the existing zone. For new builds, the zone needs to be determined and manually selected by the valuer. The zone can be obtained by clicking View Map and turning on the Valuation Zones (2004) layer.

The following should also be noted in relation to the residential zones when calculating the new ARV:

- Apartment and House/Apt scales are the same for zones 100 and below
- House/Apt and House scales are the same for zone 150 and above
- Apartment and House scales are the same for zones 170 and 180

TRA

This stands for Total Reduced Area and is the sum of the Floor Areas and the Factored Ancillary Areas.

Price SQM

This field is auto populated by MAGI once the Val Group and Zone are inputted.

Base ARV

This is the multiplication of the TRA by the Price SQM.

Adjusted %

This is where the valuer will input end allowances as a percentage for specific advantages or disadvantages of the unit. Once a percentage is inputted, the valuer has to input the reason for the adjustment. Click , which opens up the Adjusted % box. It is required to input the reason for the adjustment for MAGI to save the New ARV Calculation.

These allowances remain a part of the ARV calculation unless removed/altered. Examples of standard allowances include the following:

- -5% attached, such as for townhouse units
- +5% for modernity for existing units, or new units via internal conversions*
- +5% new townhouse i.e. net of +10% for new and -5% for attached*
- +10% for modernity for newly constructed units*
- Quantum allowances for residential properties greater than 600sm TRA (the quantum allowance spreadsheet is located in the Network folder O:Land Valn Dept/Residentials)

STAGE 3 – VALUATION OF THE PROPERTY

Based on the valuer's judgement, these standard allowances can be varied.

Modernity end allowances that are 10+ years old are to be removed and not reflected in the ARV calculation.

Amenity %

This field is auto populated by MAGI and is a total sum of the Amenity percentages in the Amenity Details.

Net %

This field is also auto populated and is the net total of the Amenity % and Net %s.

Adj. ARV

This stands for Adjusted ARV and is the multiplication of the Base ARV by the Net %.

Others Total

This field is auto populated based on the information from the Other Details. As aforementioned, the Other Details is typically used for commercial and tourist assessments.

Others Adj %

Similar to the Adjusted %, the valuer can make adjustments to the Others Total for specific advantages and disadvantages.

Others Net

This is the multiplication of the Others Total by the Others Adj %.

Calc ARV

This stands for Calculated ARV and is the sum of the Adj. ARV and the Others Net. For the residentials, the Calc ARV is the same as the Adj. ARV.

STAGE 3 – VALUATION OF THE PROPERTY

Round ARV

This is the rounded ARV per the rounding conventions programmed in MAGI.

RESIDENTIAL ROUNDING CONVENTIONS

The residential rounding should follow the following rule:

ARV (A)	ARV pm	Rounding Convention (B)
<$15,000	<$1,250	round to nearest $25 per month
>$14,999 and < $30,000	$1,250 - $2,499	round to nearest $50 per month
>$29,999 and < $72,000	$2,500 - $5,999	round to nearest $100 per month
>$71,999 and < $180,000	$6,000 - $14,999	round to nearest $250 per month
>$179,999	$15,000+	round to nearest $500 per month

- Take the Calc ARV (A) and select the rounding rule above to get the nearest $ value per month (B).
- Then A/12 = C
- Round C to nearest whole number = D (.5 rounds up in all cases)
- Rounded ARV = D x B

COMMERCIAL ROUNDING CONVENTIONS

The commercial rounding should follow the following rules:

Calc ARV (A)	Rounding Convention (B)
<$11,850	round to nearest $300
>$11,849 and < $35,700	round to nearest $600
>$35,699	round to nearest $1,000

- Take the Calc ARV (A) and select the rounding rule (B).
- A divided by B = C
- Round C to the nearest whole number = D
- Rounded ARV = D x B

Examples

Calc ARV (A)	Rounding (B)	Divide (C)	Rounded ARV (D)
$9,570	$300	9570/300 = 31.9	32 x 300 = $9,600
$26,622	$600	26,222/600 = 43.7	44 x 600 = $26,400
$60,960	$1,000	60,960/1,000 = 60.96	61 x 1,000 = $61,000

STAGE 3 – VALUATION OF THE PROPERTY

Final ARV

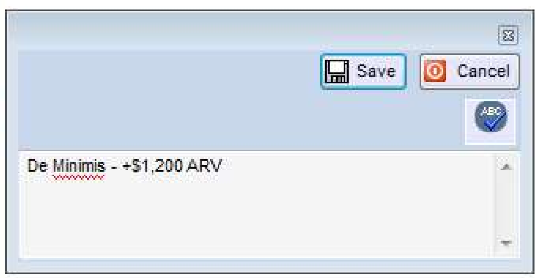
This is the ARV that is appearing in the Valuation List. The Final ARV is usually the same as the Round ARV. However, the Final ARV can be overridden to a different ARV via the Over Ride feature below. There are few instances when the Final ARV is changed and this usually occurs for:

- De Minimis ARV changes
- ARVs agreed in Objection cases which do not warrant a built in end allowance in the Adjusted %

Over Ride

As aforementioned, this is used to change the Final ARV.

Check the Over Ride box and the pop out opens for inputting the reason for the override. This is mandatory for MAGI to save the New ARV Calculation.



Delete

This is used to delete assessments from the Valuation List as they have either been merged with another unit, demolished or very little remains of the unit e.g. 2 walls only remaining.

Similar to Over Ride, check the Delete box and input the reason for the deletion. This is also mandatory for MAGI to save the New ARV Calculation.

Land Exempt

This is a feature in MAGI that is now redundant and needs to be removed. Its original purpose was to set the Final ARV to $0. This is now accomplished by setting the Zone to 60 for residentials and to 0999 for commercials.

STAGE 3 – VALUATION OF THE PROPERTY

Actions tab

MAGI has an Actions feature which allows users to send notifications to each other on a variety of matters e.g. to discuss the case, to contact someone, bring information to someone's attention, request for a provisional assessment number, demote a case back to Inspection etc.

The Actions tab is located in the Details for Case ID screen.

If the valuer has a question about the case, following their review of the data and documentation submitted by the VST, an action can be sent to the VST. Additionally, if an error (data transcription, effective date, Apex drawing etc.) has been identified by the valuer, this must also be brought to the VST's attention and recorded via an Action. This is important as data accuracy and adherence to Department standards and procedures is embedded in the VSTs' performance measures (see VST Handbook).

An Action can be sent by clicking add in the Actions tab. This will open the Create New Action pop out box. Fill in the Subject with a brief note, select the person to whom the action is to be sent from the Assigned To drop down menu and put details about the action in the Notes field.

Once completed, hit Save. This will send an action in MAGI to the Assigned To person, which will appear on their My Assigned Actions in their My Dashboard Screen the next time they Refresh their My Dashboard screen. As the valuer, get in the habit of refreshing your My Dashboard screen as the VSTs will regularly send you actions.

To sign off an Action sent to you, first input your notes in the Completion Notes box. Click Edit which unlocks the Sign-Off button. Check Sign-Off and hit Save. When you Refresh your My Dashboard screen, the action will disappear from your My Assigned Actions.

STAGE 3 – VALUATION OF THE PROPERTY

Valuer's Judgment

Once the valuer is satisfied with the veracity of the data and the resultant New ARV Calculation, they should always "stand back and look" before progressing to Stage 4 – Proposal Letter.

Questions to ask:

- Do the changes warrant an ARV change?
- Is the new ARV change de minimis?
- Does the new ARV make sense and is fair and equitable to other existing assessments?
- Is it prudent to issue/not issue a proposal?

As valuations are as much an art as it is a science, valuer's judgment is critical to each and every ARV calculation and in maintaining an accurate and up-to-date Valuation List that is also fair and equitable.

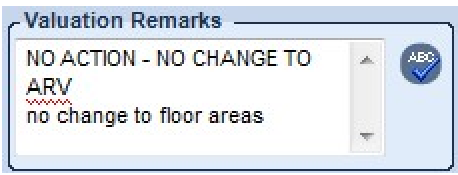
STAGE 4 – PROPOSAL LETTER

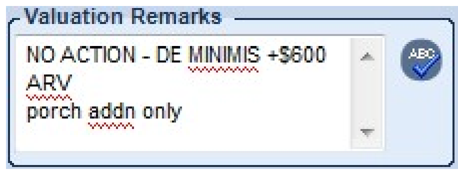
The next stage in the process is determining whether to serve a proposal to amend the Valuation List and completing the case.

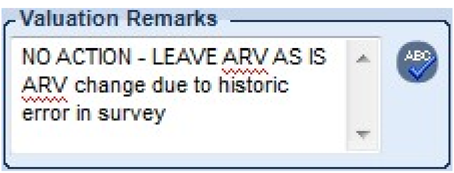
No Proposal

Valuation Remarks

Once the valuer has determined that no proposal to amend the Valuation List is to be served (no change to ARV or De Minimis change), the Valuation Remarks in the Valuation Viewer must be updated with brief notes.

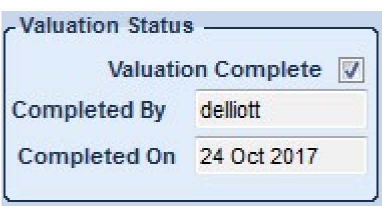






Valuation Status

The Valuation Complete box can now be checked. MAGI will then auto populate the Completed By field with your user name and the Completed On field with today's date.



To save the details against the assessment, click Save. This will change the Value Stage for the assessment number to Comp.

Notes Field

Once all assessments against the case have been promoted to Comp, the Notes field in the Details for Case ID must be updated with the case results, which are to be highlighted using ab. Thus, anyone opening the case can readily see the results of the case, without having to search through the Assessments and Log & Attachments tabs.

STAGE 4 – PROPOSAL LETTER

<u>Examples</u>

Notes

Proposed Pergola Replacement and Pool House Renovations*Revision Location of Kitchenette Revised; Relocation of Associated Interior Electric and Plumbing to Suit New Kitchenette Layout. Project Complete
[redacted]
RESULTS: DE MINIMIS CHANGES PICKED UP IN RESURVEY - OVER RIDE
(NOTES: Slight changes to pool house. Change the ARV by 2.8% - over ride and reflect at next Revaluation)

Notes

Install PV Window in stairwell 24" x 26" Project Complete
[redacted]

RESULTS: NO ACTION - NO CHANGE IN 3 ARVs (no real changes, TRA stayed same or 1sm difference)

Notes

Addition of a PVC Fence. Project Complete
[redacted]
RESULTS: NO ACTION - DE MINIMIS (-$1,200 ARV due to removing 5% 1998 modernity, no other real changes)

Notes

Add a Winch to dock and fix sea on fish Pond.(no dock in asst)
[redacted]
RESULTS: NO ACTION - LEAVE ARV AS IS (10% ARV diff) / see 20/10/17 phone log - EA still is applicable / picked up existing wooden slip and 2 ext st bldgs. This will get reflected at 2020 Revaln.

Notes

Proposed new 22w Residential Stand - By, Back up electrical Generator. Project Complete
[redacted]
RESULTS: NO ACTION NO CHANGE IN ARVS

STAGE 4 – PROPOSAL LETTER

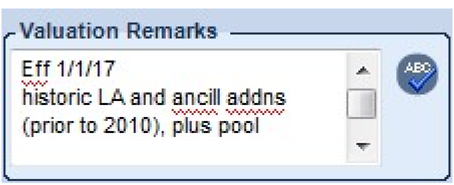
Information Tab

To complete the case, change the Status in the Case Information section from Valuation to Completed and click Save. Any paperwork associated with the case can now be shredded.

Serving a Proposal

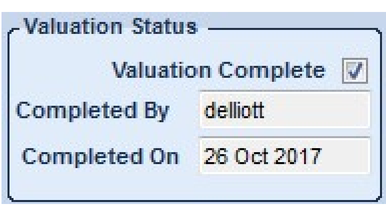
Valuation Remarks

Once the valuer has determined that a proposal to amend the Valuation List is to be served, the Valuation Remarks in the Valuation Viewer must be updated with brief notes.



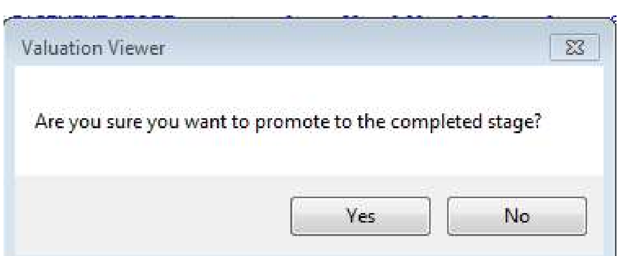
Valuation Status

To serve the proposal, check the Valuation Complete box. MAGI will auto populate the Completed By field with your user name and the Completed On field with today's date.



Valuation Viewer

Next click Save and this will open the Valuation Viewer, which asks you to confirm that you wish to promote the assessment number to the completed stage. Click Yes. Note, if you click No, MAGI removes all the information from the Valuation Status section and the New ARV Calculation can be revisited.



STAGE 4 – PROPOSAL LETTER

<u>Complete Valuation</u>

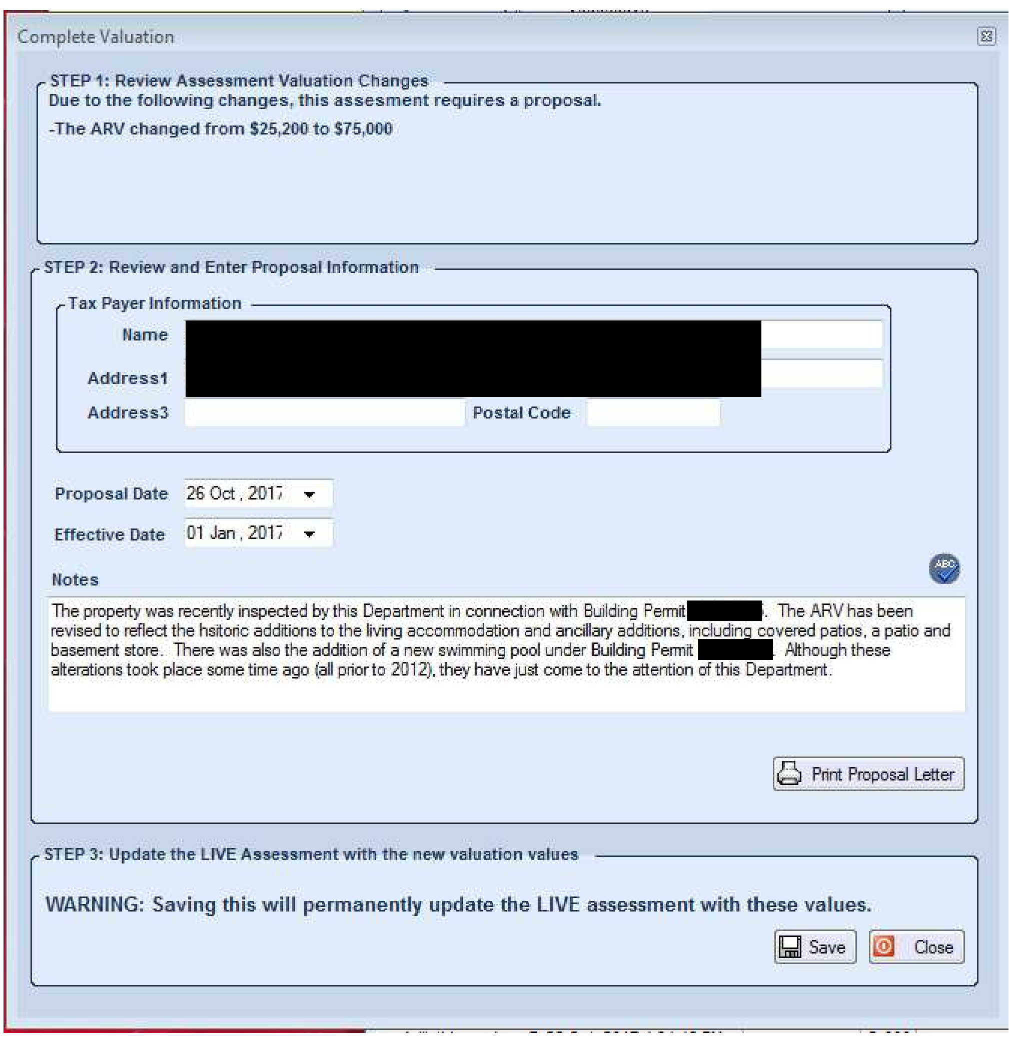
Clicking 

opens up the Complete Valuation pop out box. This is where you enter information that will appear on the proposal letter.

If the assessment is an existing unit, MAGI will auto populate the Tax Payer Information. Review this information to ensure that it is correct. If the unit is a new assessment, the Tax Payer Information will need to be manually inputted by the valuer.

MAGI auto populates the Proposal Date with today's date. The Effective Date for the works will need to be inputted by the valuer. For historic changes, the effective date can be no earlier than 1st January of the current calendar year.

The valuer also inputs a brief description of the reason for the inspection and the proposed amendment to the Valuation List in the Notes field. This information will appear on the proposal letter to the taxpayer.



STAGE 4 – PROPOSAL LETTER

Print Proposal Letter

Next click 

, this will generate a copy of the proposal letter prior to printing. Take time to review the proposal letter, ensuring that the information is correct - the taxpayer's name and address, the effective date, the proposed entry in the Valuation List and the Notes.

The proposal letter also includes the name and contact details of the VST, the case number and information on the taxpayer's right of objection, land tax liability and Planning matters.

Once satisfied with the contents of the proposal letter, print it off.

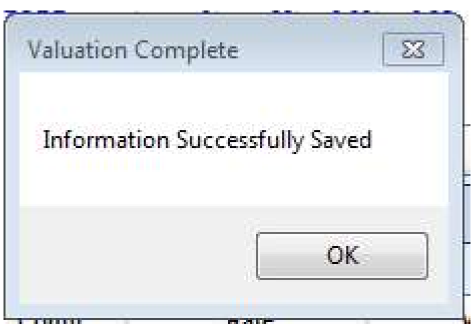
Next, click 

in the Complete Valuation box. This action will:

- Update the assessment details in MAGI
- Transmit the assessment details information to the Office of the Tax Commissioner, including an unsigned copy of the proposal letter in real time

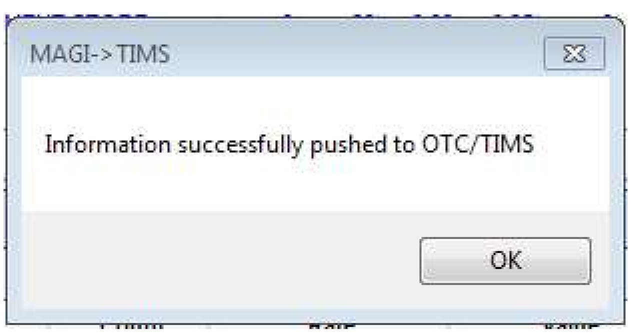
You will then get the below pop out box. Click 

.



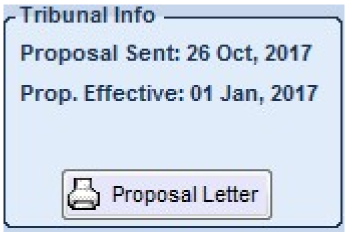
MAGI then confirms that the information in the proposal has been pushed to OTC's Tax Information Management Sytem (TIMS). Once again, click 

.



STAGE 4 – PROPOSAL LETTER

The data in the Valuation Viewer is now saved and cannot be edited. MAGI also auto populates the Tribunal Info section with the Proposal and Effective dates. A copy of the proposal letter can also be viewed by clicking Proposal Letter. Next, click Close to exit out of the Valuation Viewer screen.

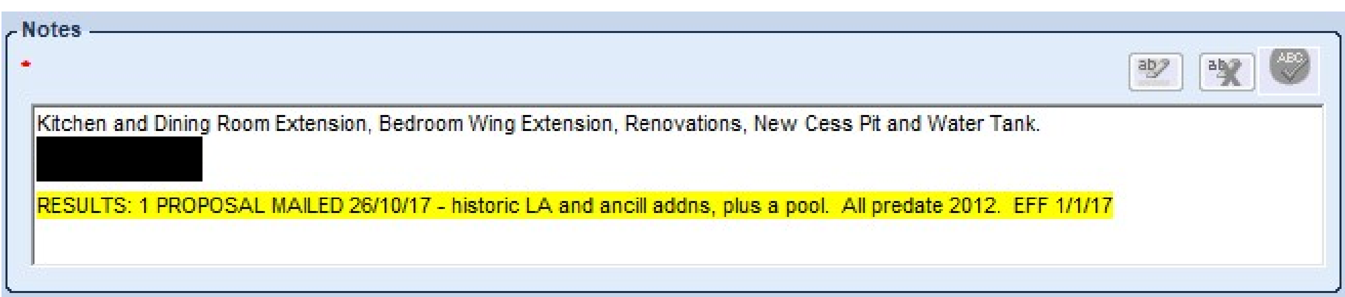


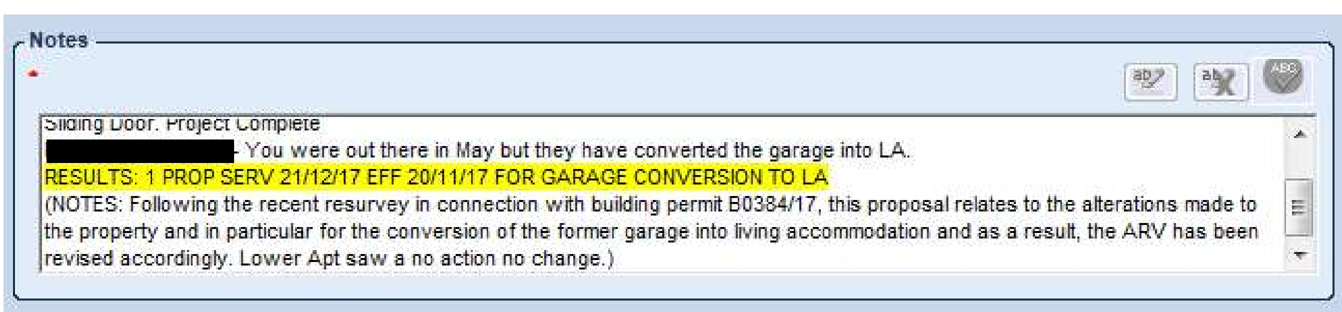
<u>Stage Completed</u>

The Stage in the Assessments tab for the assessment number will have changed from Value to Comp.

<u>Notes Field</u>

Once all assessments against the case have been promoted to Comp, the Notes field in the Details for Case ID must be updated with the case results. The results will say how many proposals were served, the method and date of service (mail, email, hand delivery or collection) and a brief synopsis of the case (similar to the Valuation Remarks in Valuation Viewer and the Notes section on the proposal letter). The case results are to be highlighted using the highlighter button. Thus, anyone opening the case can readily see the results of the case, without having to search through the Assessments and Log & Attachments tabs.





STAGE 4 – PROPOSAL LETTER

Notes

RESULTS: 1 PROP SERV 20/12/17 EFF 1/1/17 FOR HISTORIC ALTS AND ADDNS
(NOTES: Large renovations and additions to the south, east, west and north, integral garage, covered patio and patio. All these works took place between 1981 to 1997. 121 % increase in size from old 97 TRA to new 215 TRA. ARV changed by 76% from $25,200 to $44,400. No outstanding planning permit. Under assessed for 25 years and therefore under taxed. Expect some kick back. Email proposal on the 20th Dec 2017. NB this property is identical in size to next door #2 - use as reference, same size, same ARV

Notes

[redacted] Extend Bedroom & Dining Areas
RESULTS: 2 PROPS SERV 13/12/17 EFF 1/1/17 FOR HISTORIC ALTS AND ADDNS
(NOTES: Extensive alterations and additions to the northern and the southern elevations on both units, clearly visible in the overheads. Huge changes since the last time the LVD was out at the property in 1976. Updated details and 2 proposals served increasing the ARVs on both the main upper (which is now a H/A changed from an A) and the Lower Apt. This unit has been under assessed for over 20 years!)

Notes

[redacted]
RESULTS: 1 PROP SERV 8/12/17 EFF 1/1/17 FOR HISTORIC ALTS TO NORTHERN ELEVATION
(NOTES: Proposal served following historic building permit [redacted] relating to the alterations and additions made to the property and in particular the extension on the northern elevation for the new master bath addition. Even though these changes may have taken place several years earlier (approximately a decade ago looking at satellite imagery and the Department of Planning's inspection logs) these changes have just come to the attention of the Department. ARV gone from $87,000 to $93,000)

Notes

[redacted]
RESULTS: 2 PROPS SERV 30/11/17 EFF 1/1/17 FOR SUB ALTS AND ADDNS
(NOTES: Extensive alterations made to the Upper Main Unit in the form of large extension to the eastern and northern elevations for new LA, new garage, new CPs and new large lower basement area. Small changes to lower apt also. Changes happened around 8 years previous. 2 Proposals served effective 1/1/17)

<u>Case Status</u>

The Status in the Information tab must be changed from Status Valuation to Status Completed. Clicking Save will auto populate the Completed field with today's date.

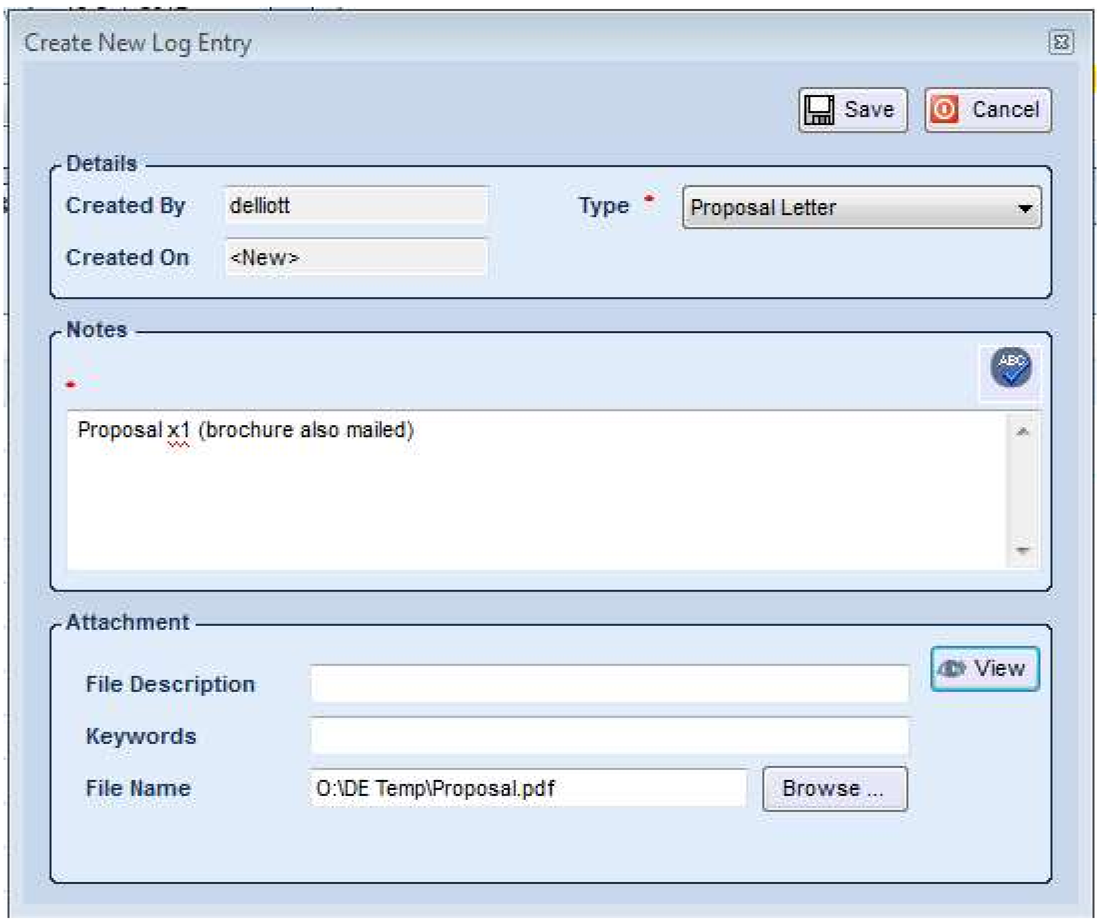
STAGE 4 – PROPOSAL LETTER

The Proposal Letter

The proposal letter must be signed by the valuer and the date and method of service written on the letter. A copy of the signed letter is date stamped with the Land Valuation Appeal Tribunal stamp and placed in the Tribunal tray. If the assessment is within the Corporation of Hamilton, a copy of the signed letter is also mailed to them.

The signed proposal letter (without the Tribunal stamp) is scanned to the valuer and attached to the case in Log & Attachments. Click add to open the Create New Log Entry pop out box. Select Proposal Letter from the drop down menu for Type. In the Notes field, input Proposals, the number of proposals served and the method of service.

Click Browse ... to attach the proposal to the case. Confirm that the correct proposal letter is being attached via View. Next click Save.



STAGE 4 – PROPOSAL LETTER

Taxpayer's Copy

The original letter is placed in the mail for the taxpayer with a copy of the relevant Proposal Letter brochure (residential or commercial). If the proposal letter is emailed, a copy of the email is attached in Log & Attachments.

The case is now Completed. All paperwork should already be scanned and attached to the case and can now be shredded.

Returned Proposal Letters

There are occasions when a proposal letter is returned undelivered by the Post Office. Record in the Notes field in the case that the letter has been returned undelivered. Attempts must now be made to contact the taxpayer to ensure delivery of the proposal letter.

As the objection period is triggered by service of the proposal letter, all efforts must be made to ensure delivery of the letter as the objection period clock must start again.

It is critical to record when a proposal letter was resent as this is the date that will be used to determine if an objection has been submitted in time and is not time barred and thus, invalid.

STAGE 4 – PROPOSAL LETTER

Example of a Signed Proposal Letter

GOVERNMENT OF BERMUDA
Ministry of Public Works
Land Valuation Department

[redacted]

26 Oct, 2017

Dear Sir/ Madam,

In accordance with Section 25 of the Land Valuation and Tax Act 1967, I hereby propose the following amendment to the Valuation List with an effective date of 01 Jan, 2017:

EXISTING ENTRY IN THE VALUATION LIST

Assessment No.	Tax Code	Description	Address	Annual Rental Value
[redacted]				$25,200

PROPOSED ENTRY IN THE VALUATION LIST

Assessment No.	Tax Code	Description	Address	Annual Rental Value
[redacted]				$75,000

THE ANNUAL RENTAL VALUES SHOWN ABOVE REPRESENT RENTAL VALUES CURRENT ON OR ABOUT THE VALUATION DATE OF 1ST JULY 2014 AND NOT CURRENT LEVELS OF RENTAL VALUE.

NOTES:

The property was recently inspected by this Department in connection with Building Permit [redacted] The ARV has been revised to reflect the hsitoric additions to the living accommodation and ancillary additions, including covered patios, a patio and basement store. There was also the addition of a new swimming pool under Building Permit [redacted]. Although these alterations took place some time ago (all prior to 2012), they have just come to the attention of this Department.

Director, Land Valuation

Should you have any questions regarding the proposed change, please contact Damien Baxter quoting [redacted] at (441)297-7967.

CC: LAND VALUATION APPEAL TRIBUNAL

Right of Objection

Should you wish to object to the proposed amendment, then you must do so within 28 days after the date of this notice (if service by hand delivery or email). If service of this notice is by pre-paid post, then you must do so within 31 days after the date of this notice. A form for making an objection can be obtained online or from the Department at the address below.

Land Tax Liability

Any queries about the effects of the proposal on your land tax liability should be directed to the Land Tax Officer on 297-7743 or 297-7537.

Planning Matters

This proposed amendment does not imply approval of any development (including a change of use) or the granting of planning permission itself. Any questions regarding the planning status for this unit should be directed to the Planning Department on 297-7756.

Global House, 43 Church Street, Hamilton HM 12
P.O. Box HM 1364, Hamilton HM FX, Bermuda
Phone (441) 297-7964 Email: delliott@gov.bm Website: www.landvaluation.bm
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STAGE 5 – OBJECTIONS

Right of Objection

There are three opportunities when a person aggrieved can make an objection to proposed amendment to the Valuation List:

1. The Draft Valuation List (six months following deposit of the draft valuation list)

2. A proposal to amend the Draft Valuation List (the latter date of the six month draft list objection period or 28 days after the date of the proposal)

3. A proposal to amend the confirmed Valuation List (28 days after the date of the proposal)

In respect of the confirmed Valuation List, each person aggrieved has the right to object to the proposed amendment made by the Department. This must be done within 28 days after the date of the proposal letter (if service by hand delivery or email). If service of the proposal letter is by pre-paid post, then an objection must be served on the Director within 31 days after the date of the proposal letter, in accordance with the provisions under sections 25(4) and 72(3) of the Land Valuation and Tax Act 1967.

There is no cost when lodging an objection as the Land Valuation and Tax (Objection and Appeals) Rules 1967 safeguards the right of taxpayers to lodge objections without incurring the penalty of paying a fee upfront. The fee ($567 per objection as of 1st April, 2016) is payable in advance of the Land Valuation Appeal Tribunal hearing, if no agreement can be reached following detailed discussions with the Department during the objection process.

The Objection Form

The prescribed form for making an objection can be obtained online at the Department's website or from the Department itself.

If the Objector is not the owner of the valuation unit, written authorization from the owner is required that the objector is permitted to act on the owner's behalf. This written authorization must accompany the notice of objection at the time of submission. In addition to this, the bottom section of the prescribed objection form must also be completed by the Objector.

STAGE 5 – OBJECTIONS

<u>Example of an Objection Form</u>

FIRST SCHEDULE
Form A

The Land Valuation and Tax Act, 1967.

NOTICE OF OBJECTION

(1) Full first name(s) and surnames of objector(s).

TAKE NOTICE THAT I/We (1) ....

(2) Full address of objector(s).

of (2) ....

(Home) Telephone No.........................
(Work) Telephone No.......................

** Delete whichever is not applicable.

object to **

(a) The Draft Valuation List
(b) A proposal by the Land Valuation Officer dated........................to amend the Draft Valuation List.
(c) A proposal by the Land Valuation Officer dated........................to amend the Valuation List.

(3) Description and situation of property as in list.

in respect of the following valuation unit (3)
description..
address..

of which I am /we are (not) the owner(s) and of which the assessment No.

(4) Insert assessment number from list.

is (4)..

(5) Mark with X in box the ground or grounds relied upon.

upon the following grounds (5)

- ☐ (a) that the annual rental value of any valuation unit appearing in the (draft) valuation list is incorrect or unfair having regard to other annual rental values therein;
- ☐ (b) that a valuation unit should not have been included in the (draft) valuation list;
- ☐ (c) that a valuation unit omitted from the (draft) valuation list should be included therein;
- ☐ (d) that a valuation unit included in a series or complex of valuation units as a single valuation unit on the (draft) valuation list should be listed separately in the (draft) valuation list or omitted therefrom;
- ☐ (e) that a valuation unit listed separately in or omitted from the (draft) valuation list should be combined with one or more others of a series or complex of valuation units and listed as one single unit;
- ☐ (f) that the (draft) valuation list is incorrect in some other material particular.

(6) Set out any additional matter on the dotted lines or in a separate statement.

(6)..
....
....

Dated the.. day of... 19.........

....
Signature of objector, agent or legal representative

IF YOU ARE NOT THE OWNER OF THE VALUATION UNIT YOU MUST SERVE A COPY OF THIS NOTICE ON THE OWNER(S) AND GIVE THE DATE OF SUCH SERVICE HERE.

Owner's name..
Address..
Date of service..

STAGE 5 – OBJECTIONS

Grounds of Objection

In accordance with sections 14 and 25(2) of the 1967 Act, any person aggrieved may object to a proposal for the amendment of the Valuation List on any one or more of the following grounds:

a) that the annual rental value of any valuation unit appearing therein is incorrect or unfair having regard to other annual rental values in the draft valuation list;

(b) that a valuation unit should not have been included in the draft valuation list;

(c) that a valuation unit omitted from the draft valuation list should be included therein;

(d) that a valuation unit included in a series or complex of valuation units as a single valuation unit on the draft valuation list should be listed separately therefrom or omitted therefrom;

(e) that a valuation unit listed separately or omitted from the draft valuation list should be combined with one or more others of a series or complex of valuation units and listed as a single valuation list;

(f) that the draft valuation list is incorrect in some other material particular,

and on no other ground.

Thus, objections based on the following are ***not valid grounds***:

- Amount of land tax payable
- Rent control
- Non Bermudian market

The Objection Process

Upon receipt of an objection, all efforts are made to initially discuss and/or meet with the objector in the office about the objection. In most cases, this quickly resolves the matter without the need for formally lodging the objection and commencing the objection process.

Once it has been determined that the objection will run, and the objection has been vetted and is deemed valid, an Case SubType * Objection - proposal case is created in MAGI. A general summary of the objection process is as follows:

- Within one week of receipt of the objection, the Objector is sent a letter acknowledging the objection and a copy of the Department's Objection Process Guidance Notes. A copy of the objection is also forwarded to the Land Valuation Appeal Tribunal via email and the original objection and paperwork placed in the Tribunal's filing cabinet located in the Department. Notification to the Tribunal is sent by either the Director or the valuer assigned the objection case.

STAGE 5 – OBJECTIONS

Example of an Objection Acknowledgment Letter

GOVERNMENT OF BERMUDA
Ministry of Public Works

Land Valuation Department

8th August, 2017

[redacted]

RE: Land Valuation and Tax Act 1967
Address: [redacted]
Assessment #: [redacted]
Case #: [redacted]

I write to confirm receipt of your notice of objection to my proposal dated 13th June, 2017 to amend the 2015 Valuation List in relation to the above valuation unit.

I have forwarded your objection to the Land Valuation Appeal Tribunal. The issues raised in your objection are being considered and a member of the Department will be in contact with you in order to arrange a meeting to discuss your objection.

I must also advise you that in accordance with section 40 of the Act, you are still liable to pay land tax on the proposed Annual Rental Value (ARV) even though there is an outstanding objection to the proposal. Once the objection has been resolved and if there is an alteration to the proposed ARV, your land tax bill will be adjusted accordingly.

Should you have any questions regarding your objection, please contact James Needham on 297-7964 quoting the above case reference number.

For your convenience, a guidance note about the objection process is enclosed with this letter. Information on land tax assessments, factors affecting your Annual Rental Value and other frequently asked questions can be viewed on the Bermuda Government portal www.gov.bm by searching for the Land Valuation Department. You can also visit www.landvaluation.bm to search the Valuation List for your Annual Rental Value.

Diane Elliott

Diane Elliott
Director, Land Valuation Department
Enc. Objection Process Guidance Notes

cc: Land Valuation Appeal Tribunal

Global House, 43 Church Street, Hamilton HM 12
P.O. Box HM 1384, Hamilton HM FX, Bermuda
Phone (441) 297-7964 Email: delliott@gov.bm Website: www.landvaluation.bm
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STAGE 5 – OBJECTIONS

Objection Process Guidance Notes

GOVERNMENT OF BERMUDA

Ministry of Public Works

Land Valuation Department

Objection Process Guidance Notes

The **Land Valuation And Tax Act 1967** and **Land Valuation And Tax (Objections And Appeals) Rules 1967** set out the statutory procedure for objections. Both Acts can be accessed online at www.bermudalaws.bm.

The following notes are to give you an indication of the stages and time frame for resolution of your objection.

1) **Receipt of objection**

- Within 1 week of receipt of the objection, a letter acknowledging receipt will be sent to the objector and taxpayer.
- The objection will also be forwarded to the Land Valuation Appeal Tribunal (the Tribunal).

2) **Meeting**

- Within 4 weeks of receipt of the objection, a member of the Land Valuation Department will contact the objector to organise a meeting to discuss the objection.

3) **Resolution of the objection**

- Following the meeting(s) to discuss the objection, a formal response to the objection as required by section 15 of the Land Valuation and Tax Act 1967 will be sent to the objector, taxpayer and the Tribunal.
- The Tribunal will, following receipt of the section 15 response, contact the objector about the next steps, whether the objection has been withdrawn, an agreement reached with the department or if there is to be a formal hearing.

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STAGE 5 – OBJECTIONS

Example of an email to the Tribunal

Good Day Tribunal,

In accordance with the provisions of section 16 of the Land Valuation and Tax Act 1967, please be advised that a Notice of Objection has been received in respect of the above property.

The following documents are attached for your reference:

- Notice of Objection
- Objection Acknowledgment letter and guidance notes

Regards,

Diane Elliott
Director
Government of Bermuda | Ministry of Public Works | **Land Valuation Department**
Global House, 2nd Floor | 43 Church Street | Hamilton, Bermuda HM12
PO Box HM 1384 | Hamilton, Bermuda HM FX

T: 441 297 7969 | E: delliott@gov.bm | W: www.landvaluation.bm
Direct Land Valuation Department Line: 441 297 7964

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THINKGREEN
Consider the planet before you print

- The assigned valuer is to contact the Objector within four weeks of receipt of the objection case to discuss the objection and/or arrange a meeting in the office or on site. Where possible, all attempts are to be made to seek resolution of the objection, whether by withdrawal or agreement.

- Each objection is dealt with on its own merits. Whilst the Department is pragmatic in resolving objections, resolution must never be at the expense of undermining the tone of the Valuation List and other assessments.

- Resolution of an objection may take several meetings and/or discussions. Once a position has been taken, a formal written response to the objection will be sent to the Objector in accordance with section 15 of the 1967 Act. The response will state whether the objection is agreed to in whole, or in part or is rejected, with the rationale for the Department's position provided.

STAGE 5 – OBJECTIONS

Resolution by Withdrawal or Amendment

In accordance with section 13 provisions of the 1967 Act, withdrawal of an objection can be both verbal or in writing, and can be made by the Objector or his authorized agent. All attempts are made to secure a written withdrawal for both the Department's and Tribunal's records.

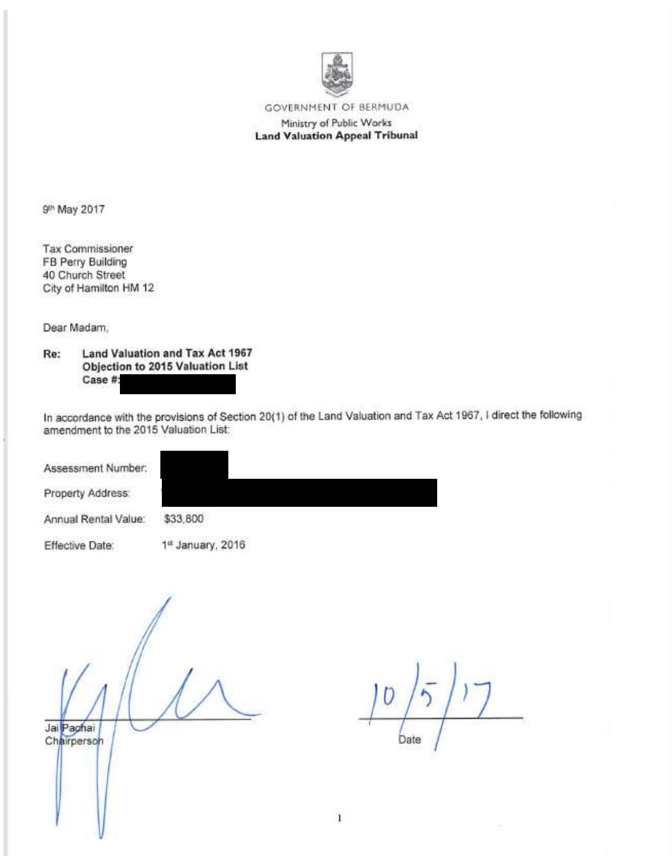
Where an objection is withdrawn, the Tribunal is notified and the case completed in MAGI. The Tribunal's Department files are updated accordingly.

In the instance where an objection is resolved by agreement to amend the ARV, the Tribunal is notified of the agreement and a Tribunal Direction Letter is emailed to the Chairman for his signature. The Direction Letter will specify the agreed ARV and effective date of the subject valuation unit.

The signed Direction Letter is emailed to the Office of the Tax Commissioner, copying the Objector, by the valuer responsible for the objection case. A copy of the Direction Letter is logged in MAGI.

A "dummy" proposal is generated in MAGI in order to update the Valuation List with the agreed ARV and the objection case then completed. The Tribunal's Department files are updated accordingly.

Example of a signed Direction Letter



GOVERNMENT OF BERMUDA
Ministry of Public Works
Land Valuation Appeal Tribunal

9th May 2017

Tax Commissioner
FB Perry Building
40 Church Street
City of Hamilton HM 12

Dear Madam,

Re: Land Valuation and Tax Act 1967
Objection to 2015 Valuation List
Case #[redacted]

In accordance with the provisions of Section 20(1) of the Land Valuation and Tax Act 1967, I direct the following amendment to the 2015 Valuation List:

Assessment Number: [redacted]
Property Address: [redacted]
Annual Rental Value: $33,800
Effective Date: 1st January, 2016

Jai Pachai
Chairperson

10/5/17
Date

STAGE 5 – OBJECTIONS

The Tribunal Process

Should there be a breakdown in communication or no possibility of resolution, the objection will be referred to the Tribunal for a hearing. This is the option of last resort, but in the minority of instances, cannot be avoided.

In accordance with section 15 of the 1967 Act, the Tribunal are informed by the Department that a resolution cannot be reached and that the matter is referred to them for a hearing.

Once a hearing date has been agreed with all parties, the Tribunal will issue a Tribunal Hearing Notice to the Objector, the Director and the two other Tribunal panel members selected for the hearing. The notice contains information on the following:

- Hearing date, time and venue
- Procedural requirements for the Objector in relation to written submissions, representation at the hearing, payment of the hearing fee, evidence etc.
- Procedural requirements for the Director

The onus of proof is on the Objector to demonstrate that the ARV appearing in the Valuation List is incorrect or unfair.

At the Tribunal hearing:

- The Objector will be invited to present their case first. The Department and Tribunal members will be allowed to ask questions.
- The Department will then make its presentation, which is also followed by cross-examination questions from the Objector and the Tribunal members.

Evidence before the Tribunal

In determining an objection to a Draft Valuation List, the Tribunal shall have regard to market rental evidence, subject to section 7(2A) of the 1967 Act, as well as annual rental value evidence in the Draft Valuation List and shall determine what weight, if any, to give to such evidence.

The Tribunal must have regard to both and decide in an individual case the weight to be attached to each.

However, in determining an objection to a proposal to amend a Valuation List (once the Draft Valuation List is confirmed), the Tribunal shall only carry out a comparison exercise of the ARVs in the Valuation List, with the object of ensuring that the annual rental values in the Valuation List are fair one with another. The Tribunal shall not have regard to market rental evidence.

STAGE 5 – OBJECTIONS

The Tribunal Decision

Within three weeks of the hearing, the Tribunal Chairperson will issue a written decision, unless otherwise expressly stated.

If the Tribunal has determined an amendment to the ARV, a copy of the Decision Letter is to be emailed to the Office of the Tax Commissioner and a "dummy" proposal served to update the Valuation List. The case can then be closed in MAGI.

It should also be noted that in accordance with section 24 provisions of the 1967 Act, either party to the Tribunal proceeding can appeal to the Supreme Court within 21 days after the Tribunal has delivered its decision.

However, no appeal to the Supreme Court under this section shall lie except upon a ground of appeal involving a question of law alone or upon a ground involving a question of mixed law and fact.

Land Valuation Appeal Tribunal Handbook for Tribunal Members

Please take time to familiarize yourself with the contents of the Tribunal Members Handbook. This Handbook is a ***comprehensive overview*** of the role, function and remit of the Tribunal, hearing procedures and includes information on the Department, relevant legislation and valuation methodology. This Handbook, as well as the Department's objection pages on the website, provide pertinent information in relation to the objection process.

CONCLUDING REMARKS

The Maintenance of the List work is the Department's "bread and butter" work and is essentially the reason for the Department's creation in 1967 and continued existence.

As cited earlier in this reference guide, objectivity and attention to detail must always be first and foremost when dealing with MoL work. This high standard is expected from all persons, from the Receptionist to the Director.

As is often emphasized, our errors literally cost the taxpayer as land tax is based on the ARV that this Department places on a valuation unit.

Historically, 75% of the Department's MoL case work is generated by Completion Certificates from the Planning Department. However, this trend is currently changing as the Department places less reliance on Planning Department for case creation as we generate our own proactive MoL work. There are a myriad of reasons for this transition, including, but not limited to:

- Decrease in the volume of Certificates being issued by Planning
- Unreliability on the information contained in the Certificates
- All Survey scans are now attached to the assessment numbers in MAGI
- Access to both historic and current aerial imagery

Customarily, the Department conducted a property inspection in response to the Completion Certificates, irrespective of the type of works being signed off. This provided an opportunity for the Department to update its survey records and to create digital Apex drawings for properties. However, with a decade of digital Apex drawings and the ability to check if a building footprint has changed from the desk, the Department can be more selective with property inspections.

The Department was notified in Summer 2017 that 13,000 historic building permits were to be signed off by Planning as a result of their migration to a new IT system. In response to this unprecedented volume of work, the Department put in place a programme of targeted inspections to deal with the receipt of 150 additional Certificates per month over the next 7 years.

With the property surveys now scanned into MAGI, changes to a building's footprint can be checked right from the desk with the aid of aerial imagery. As a result, only properties where there have been changes to the footprint are inspected by the Department. This effectively eliminates "No Action" cases and better employs the Department's limited resources. A targeted inspection programme guarantees land tax revenue generation as property inspections will now result in an increase in ARV in 99.9% of MoL cases. The Department is rapidly shifting to this new way of doing business, which echoes the current Minister's mantra "*Business as usual just won't do!*".

CONCLUDING REMARKS

As the Department continues to grow and develop, it is inevitable to some practices, policies and procedures stated in this guide will change or even become redundant, in some instances. As the needs of the Department and the MoL work evolves, so too will the content within this manual.

"There is no more reason to think that they expected the world to remain static than there is to think that any of us holds a crystal ball. The only way to create a foundational document that could stand the test of time was to build in enough flexibility that later generations would be able to adapt it to their own needs and uses. "

- **Diane Wood**

CASE STUDIES

Below are some **‘real life’ case examples** which will be helpful to use as a cross reference for the myriad of scenarios encountered by the Department. By reviewing these cases, you will see the rationale for why various actions were taken for each case and how each scenario was dealt with.

Be mindful that although there are overarching guidelines and parameter, each case is viewed and judged on its own merits given the plethora of unique scenarios. Thus, there is no “one size fits all” application. However, the examples below are a good framework to outline and illustrate various actions taken by the Department and are to be used as a guide.

The details for each of the below referenced cases will be recorded in the logs and the notes section of the case. The six digit number is the case number, with a brief sentence explaining what happened with the case.

Cases - No Proposals Served:

- [redacted] - This is a simple **No action, No change** case.
- [redacted] – ‘**De Minimis’** changes picked up during the resurvey. Minor change to ARV – Over ride – No Action, No Change.
- [redacted] - New garage constructed. However, there were some **historic errors** in the previous drawing plan. The new garage and errors have **cancelled each other out** and consequently, this is a No action, No change.
- [redacted] – Property inspected as **checking for completion of works**. Works are still incomplete - No action, No change.
- [redacted] – New solar panels and **‘De Minimis’** changes picked up. Over ride ARV and reflect changes at next Revaluation.

Cases - Alterations and Additions:

- [redacted] – Changes to a property made over a **decade earlier**. Works just picked up by the Department and proposal served (i.e. wording for the proposal and the effective date)
- [redacted] – **New swimming pool** and removal of **old historic end allowances**. Proposal served.
- [redacted] – 2 units, both seen minor alterations for **historic works**. 2 proposals served.
- [redacted] – A 2 unit property that saw **alterations to the main unit** (proposal served) and ‘**de minimis**’ **changes** to the apartment which were over ridden.
- [redacted] - Changes to **ancillary areas** mainly and proposal served as a result.
- [redacted] - New **2nd story addition**, proposal served.
- [redacted] - **Historic** alterations and additions. Proposal served.

CASE STUDIES

Cases - Brand New Units/Buildings:

- [redacted] – **New detached single dwelling unit** constructed and proposal served to bring into the Valuation List (view for choice of zoning, modernity and reduction in basement living area for limited natural light)
- [redacted] – **New large high end property** with pool, tennis court and apartment just built and brought into the Valuation List. View this for choice of **zoning**, **modernity, amenities** and **quantum** factor applied. Proposal served.
- [redacted] - **New large high end property** with pool. Applicant deliberately withheld completing in order to avoid land tax, effective date issues. Proposal served.
- [redacted] – A single property which had basement excavated to create a **new 2nd dwelling unit** (apartment). Therefore 2 proposals served i) to reduce the main unit and **change it from a H to A** and ii) to bring in the **newly created lower Apt.**
- [redacted] - 2 new semi-detached **townhouse units** built and brought into the Valuation List. See case for end allowances for modernity and semi-detached (-5%).
- [redacted] **– New 3rd dwelling unit** to an existing 2 unit property. Other 2 existing units have changed and also been served proposals due to the internal reconfiguration and change from **HA to A** for the main unit.
- [redacted] **Internal conversion of garage** and small additions to create a new **2nd dwelling unit**. House now a House/Apartment. Proposal served.
- [redacted] **–** Alterations and additions made to main unit and the **conversion of former pool house** into a separate 2nd dwelling unit. Proposal served.
- [redacted] New 2nd dwelling unit created out of a **subdivision** of the former main unit with some minor alterations and additions. Shared pool. Both units now classed as Apartments.
- [redacted] **3 new dwelling units** brought into the Valuation List. Certificate was for the **main unit only** due to issues with one of the external stairways leading to the lower level. From a LVD perspective, all units are **capable of beneficial occupation** and have been brought into the Valuation List
- [redacted] **-** 2 proposals served after subdividing the **former guest unit** into a separate 2nd dwelling unit. Changed the main house from a H to a H/A as a result.

Cases - Classification Changes:

- [redacted] - 2 Apartments which were both modified and 1 of the units was changed from an '**Apartment' to a 'House/Apartment'**. Proposals served.
- [redacted] – **Change of use** of a unit from a **commercial to a residential unit**. Proposal served.

Cases – Uninhabitable Condition (Section 68):

- [redacted] **–** Grant of **Section 68** relief due to property being **incapable of beneficial occupation** (See checklist, photo, logs etc.)**.** Proposal served.
- [redacted] **-** Property is in a poor state of repair, **incapable of beneficial occupation** - Section 68 granted and proposal served.
- [redacted] **– Removal** of a Section 68 **(uninhabitable)** following **renovations and refurbishment works** on a **2 unit property.** Proposals served.

CASE STUDIES

- [redacted] – **Removal** of a Section 68 **(uninhabitable)** following **renovations and refurbishment works** on a single unit property. Proposal served.
- [redacted] **– Section 68 granted** due to a **combination of minor defects** rendering the property incapable of beneficial occupation. Proposal served.
- [redacted] **–** Section 68 property that **part of the dwelling is currently lived in** and in a habitable condition, part is not. Proposal served to assess the livable section of the dwelling.

Cases - Demolitions/Removal from Valuation List:

- [redacted] – **Demolition** of a property which should be removed from the Valuation List. Proposal served.
- [redacted] – A Section 68 property which is little more than **a ruin** and as a result the property has been deleted from the VL. Proposal served.

Cases - Property held by a Non-Bermudian:

- [redacted] – **Non-Bermudian property** given permission for a **2nd assessment number** for the conversion of the former store into a detached cottage. 2 Proposals served as a result.