

Appeals & Tribunals

Led by: City Clerk/Director of City Clerk's Office

Service Description

This service provides an impartial, open, and transparent process for Calgarians and businesses to challenge property and business assessments, decisions of the development and subdivision authorities, and other decisions made by The City of Calgary with respect to licences and community standards.

The Appeals & Tribunals service supports governance, administration and operations of The City's tribunals:

- Calgary Assessment Review Board (www.calgaryarb.ca)
- Calgary Subdivision and Development Appeal Board (www.calgarysdab.ca)
- Calgary Licence and Community Standards Appeal Board (www.calgary.ca/lcsab)

Service Updates

Key Service Results

The City Clerk's Office completed an upgrade to the Assessment Review Board case management system to improve the public user experience ahead of schedule. All testing and security requirements were satisfied while maintaining functionality. (Initiative 4)

Cross-training of Tribunal Clerk staff has been completed resulting in a 100 percent on-time publication rate of Assessment Review Board Decisions, an increase from 92 percent at mid-year. (Initiative 1 and Performance Measure 5)

The City Clerk's Office undertook an examination of potential barriers to accessing justice. A working group was established with internal partners to identify barriers and compile data and research. The final report and recommendations were delivered in the third quarter of 2023 and identified various themes and barriers to accessing justice. Work on this initiative will continue into 2024 with a focus on removing at least one of the barriers identified. (Initiative 2)

Service Challenges

Turnover in temporary staff led to hiring and onboarding of new staff to support all three tribunals and increase effective service delivery.

There was a decline in decisions made within statutory timelines by the Assessment Review Board. The City Clerk's Office will continue working with all The City's tribunals to support timely decision-making and identify and mitigate issues as they arise.

Trends & Potential Uncertainties

The trend toward delayed decisions may continue into 2024; however, The City Clerk's Office is dedicated to assisting The City's tribunals and providing training and guidance, as required. Additional process efficiencies may also be identified that will help The City's tribunals to achieve timely and effective outcomes.



Measuring Our Performance

Legend

— Actuals

■ Expected Future Performance

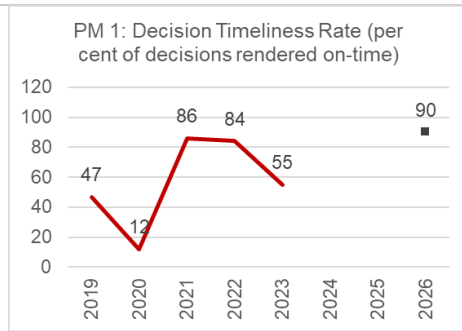
→ Progressing as planned

⊖ Not progressing as planned

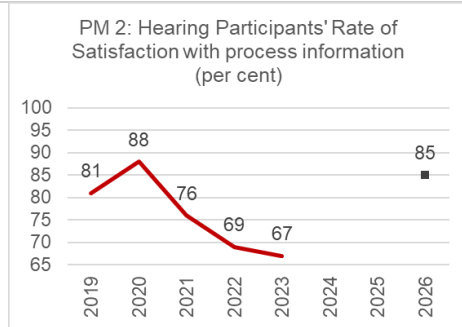
Performance Measures

Story behind the numbers

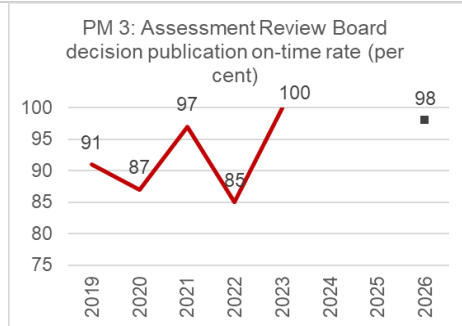
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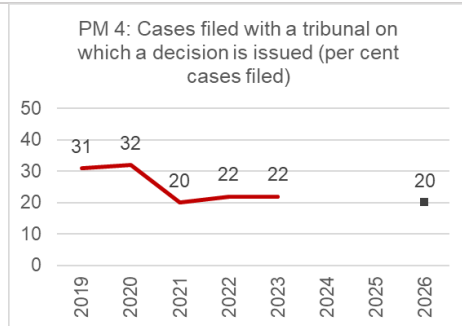
The number of decisions issued within the statutory timelines by the Assessment Review Board declined sharply.



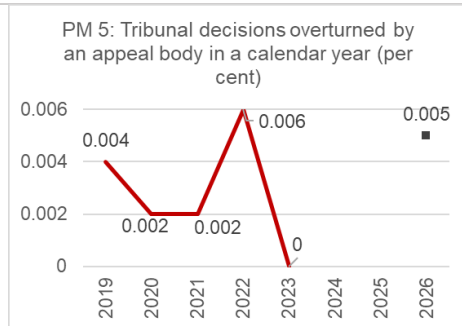
Participants who reported they were not satisfied with the customer service they received also included comments indicating dissatisfaction with the hearing process.



The City Clerk's Office has seven days to publish decisions of the Assessment Review Board. Staff cross-training has been effective in allowing for the timely publishing of decisions.



There is a disproportionate number of files across the City's tribunals with the Assessment Review Board receiving most of the files. Withdrawals and mutual agreements are continuing at a high volume, resulting in a low number of files being heard. There is a significant administrative component to processing these files and associated file closures.



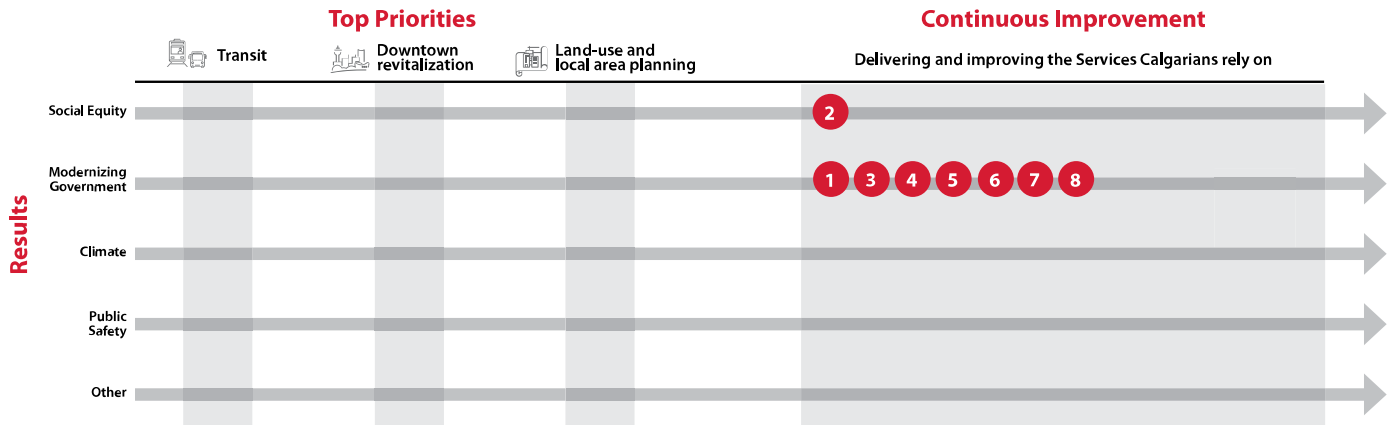
Most board decisions are not appealed to a higher court. There were four instances of appeal; however, none were successful.






Progress on Service Delivery

Alignment with Council Refined Priorities and Result Areas



- Legend**
- Completed
 - Progressing as planned
 - Not progressing as planned
 - Not started
 - Initiative number

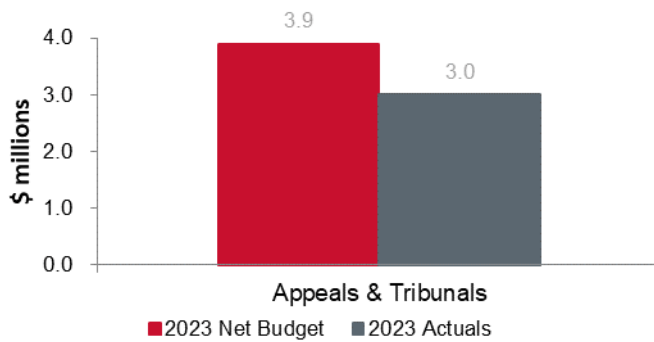
Initiative	Initiative Update	Status
1 Increase efficiency and adjust to varying volumes of appeals across all boards by training all tribunal clerks to support all three tribunals, rather than the specific-to-a-tribunal training approach that has been used historically.	Cross-training of Tribunal Clerks has been completed.	
2 Reduce barriers to participation and improve access to justice by investigating, planning and potentially expanding communication and outreach activities.	Barriers to accessing justice were identified and work will continue into 2024 to remove some of the barriers identified.	
3 Adhere to legislative requirements and provide timely service to Calgarians by continuing to render and publish adjudicative decisions within the specified timeframes.	The number of decisions issued within the statutory timelines by the Assessment Review Board declined.	
4 Provide an improved public user experience by upgrading the Assessment Review Board's file management software.	The upgrade was completed successfully ahead of schedule. All changes satisfied testing and security requirements while maintaining functionality.	
5 Ensure accessible processes by providing multiple channels for parties to file complaints and/or appeals, including in-person, online, mail, email and secure physical drop box.	All methods continue to be offered.	
6 Ensure accessible processes for participants by expanding support for various tribunal hearing formats, including virtual, in-person and written.	All methods continue to be offered.	
7 Identify opportunities for continuous improvement by seeking out feedback from hearing participants and input from members of the public.	Project work on identifying barriers to accessing justice helped to analyze participant's satisfaction and needs during the appeal/complaint process. Participants are requesting greater transparency and better access to resources.	

Initiative	Initiative Update	Status
8 Increase transparency and accountability by continuing to publish hearing decisions, statistics, and information online including via the City of Calgary Open Data Portal, and the CanLii database.	More efficient ways have been found to share datasets with Collaboration, Analytics and Innovation to ensure that information is updated regularly.	



Service Updates on Financial Performance

**Net Operating Budget and Actuals
as of December 31, 2023**



Operating Budget Updates - 2023 net operating budget vs actuals:

Appeals & Tribunals has a favorable operating variance of \$0.9 million. The primary drivers of this variance were \$1.2 million savings in salary, wages, fringe benefits, as well as board member remuneration due to a lower number of complaints and higher number of negotiated settlements with The City, \$0.2 million savings related to contract and consulting costs, partially offset by a decrease of \$0.5 million in assessment complaint filing fee revenue due to a lower number of complaints.

In 2023, Appeals & Tribunals established a working group to identify barriers to accessing justice. The final report and recommendations were delivered in the third quarter of 2023 and identified various themes and barriers. Work will continue in 2024 focusing on removing at least one of the barriers.

Capital Budget Updates - 2023 total capital budget vs 2023 spend:

Appeals & Tribunals has no capital budget in 2023.