

Property Assessment Referral and Appeal Process

If you disagree with your assessment, you can start a process called "referring the assessment for review". The following outlines the three (3) steps in the referral and appeal process:

Step 1: Referral of Assessment

There is a form on page three of your Notice of Assessment and Summary of Property Charges that you can fill out. If you refer your assessment, you will need to provide reasons why your assessment should be considered. For example there has been a material change in your property that would affect the price.

You have 90 days from the mailing date of your new assessment. The mailing date is printed on page one of your notice. Your referral is then assigned to a senior staff member for review. You will be contacted and the reason for the referral discussed. If necessary, a physical inspection of the property will be made. You will be notified of the department's decision within 180 days of their receiving your referral.

You are still advised to pay the property taxes owing by the due date to avoid interest charges. If the referral process results in a reduction to your assessment, the taxes will be adjusted accordingly.

Step 2: Appeal to Island Regulatory and Appeals Commission

If you are not satisfied with the decision, information on how to appeal is included with your notification. You have 21 days from the date you were notified to appeal the decision. Appeals are heard by the Island Regulatory and Appeals Commission (IRAC), an independent tribunal that hears appeals on issues relating to land use, property and revenue tax and unsightly premises. You will have to appear before the commission and explain why you disagree with the assessment. Assessment services staff will also appear to explain why they think the assessment is fair. You do not need a lawyer to appear before IRAC.

Once an appeal hearing has been arranged and completed, the Commission will provide the appellant with a decision. The decision may be to either:

- i. dismiss the appeal;
- ii. allow it and direct the Minister to vacate the assessment, or to make specific variations in the assessment; or
- iii. refer the assessment back to the Minister for reassessment in accordance with the directions of the Commission.

Any decision of the Commission will come into effect from January 1 in the year for which the assessment appealed from was made, and any changes required to be made by the Minister as a consequence of the decision shall be made by the Minister within thirty (30) days after the Commission has made its decision.

Step 3: Appeal to the Supreme Court

If the property owner is not satisfied with the decision by the Commission, he or she can appeal the decision to the Supreme Court of Prince Edward Island.

Please note:

This page is prepared for information purposes only, and should not be considered a substitute for the applicable statutes. Should there be any conflict between the contents of this page and the statutes, the statutes shall prevail.

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This information has been taken from the website:

Tax and Land Information Website

URL: <http://www.taxandland.pe.ca/index.php3?number=1017908>

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