

Land Value Appraisal Commission

Objective/Mandate

The Land Value Appraisal Commission is an independent tribunal, which determines the due compensation payable for government land purchases and expropriations. Its operation is governed by *The Land Acquisition Act*, with respect to government purchases, and by *The Expropriation Act*, with respect to expropriations.

The Commission's expropriation compensation decisions are binding on both the expropriating authority and landowner(s). Decisions on matters of fact and law are appealable to the Court of Appeal. The Commission's *Land Acquisition Act* decisions are binding on the acquiring authority, but not on the landowner(s).

As of March 31, 2008 the Commission had 38 outstanding applications. For the period April 1, 2008 to March 31, 2009, the Commission received 35 applications under *The Land Acquisition Act* and *The Expropriation Act*. The applications are as follows:

	<u>Received</u>	<u>Closed</u>	<u>Outstanding</u>
Land Acquisition Act	21	20	2
Expropriation Act	14	12	39

The Commission closed a total of 32 files. Of the 32 files, 1 was withdrawn and 31 were issued Certificates. For the 32 closed files, the Commission issued 32 Certificates for the following:

- 31 for Agreements/Offer to Sell and Conditional Release
- 1 for Contentious Case.

In addition, the Commission issued Reasons for Decision, with no Certificate, for a contentious case. The Commission has 41 outstanding applications, as noted above.

The Commission held Public Hearings in connection with land being acquired by Crown Lands and Property Agency for the Department of Infrastructure and Transportation, Manitoba Floodway Authority and Department of Conservation - Manitoba Water Stewardship

The Director of Crown Lands and Property Agency is empowered to accept agreements on which settlements of less than \$5,000.00 are reached with Owners. The Commission, in an administrative rather than adjudicatory role, reviews land transfer agreements, referred by Crown Lands and Property Agency. There were a total of 36 properties covered in this category.

As of March 2009 Crown Lands and Property Agency has changed its procedures with respect to agreements on which settlements of less than \$5,000.00 are reached with Owners. Crown Lands and Property Agency is filing these settlements with the Commission as Applications. The Commission is in agreement with the new procedure. The Commission certified two Certificates in this category.

The Commission issues its reasons for decisions, which are reported in the "Land Compensation Reports", published by the Canada Law Book Inc.

1 (i) Land Value Appraisal Commission

Expenditures	Actual 2007/08	Estimate 2007/08	Variance Over(Under)	Expl. No.
Sub-Appropriation	\$(000)	FTE	\$(000)	
Other Expenditures	8.5		27.4	(18.9)