



PROPERTY ASSESSMENT APPEAL BOARD

PRACTICE NOTICE

RESUMING IN-PERSON PROCEEDINGS DURING COVID-19

October 20, 2020

Purpose:

The Property Assessment Appeal Board (the Board) will now resume holding in-person proceedings on a limited basis and only when necessary in the circumstances of an appeal, and only if an appeal cannot be adjudicated by remote hearing or written submissions hearing or a combination of both.

As we are still in the midst of the public health COVID-19 pandemic, the Board has put into place COVID-19 health and safety measures to protect participants, the public, staff, and Board members.

The Board will comply with the Ministry of Attorney General's information about COVID-19 Court Recovery Operations, health and safety protocols which can be found at the following link: (<https://www2.gov.bc.ca/gov/content/justice/covid-19/covid-court-operations>)

These protocols are to ensure everyone's safety, including the steps being taken regarding the screening process, cleaning protocols, and physical distancing protocols.

These measures are subject to change without notice as the Board receives further guidance and direction from public health authorities.

Parties to an in-person hearing are expected to confirm that the hearing can proceed in accordance with the precautions and restrictions set out below and to advise the Board of any problems these measures may present. Any such problems should be addressed in advance of the hearing. Parties will also need to address any additional concerns that may apply in the specific circumstances of their hearing.

If parties are unprepared, the Board may adjourn the hearing and award costs against the unprepared party.

NOTE: By attending the in-person proceeding, you do so entirely at your own risk and waive any claim you may have against the Board for contracting COVID-19 or similar virus.

Before the hearing:

The maximum occupancy of the hearing rooms at the Board's offices is **seven persons** (including Board members and any recording secretaries). Unless otherwise agreed to prior the commencement of the hearing, each party (Appellant and Respondent) is limited to a maximum of **two persons**.

With advance notice of more persons attending, the Board can arrange greater occupancy with the use of Plexiglas partitions, video conferencing, or by arranging an alternate location. **You will be provided with the address of the location for the hearing in your Notice of Hearing. Unless otherwise specified, the following precautions apply to all hearing locations.**

Public: In order to maintain a safe physical distance, hearings may be simultaneously broadcast or recorded by electronic means such as WebEx. If counsel or a party is aware of anyone who intends to observe all or part of the hearing, they should advise those individuals to contact the Board to request logon credentials to the virtual broadcast or recording.

1. Entering the Building of the Board's Offices:

- Follow all instructions on your way toward the elevators or hearing room.
- Safety measures, such as limiting the number of people, will be in place. Please follow all signs and instructions on the use of elevators, including the two person capacity limit.

For everyone's safety, elevators will be sanitized regularly.

2. Preparing for Arrival for the Hearing:

Parties must be in a position to confirm, in writing, before appearing at the hearing, and at the start of each day of the hearing that to their knowledge, that no one involved on their side (including counsel, the party, or witnesses) has any symptoms of illness that may be related to COVID-19. The BC Centre for Disease Control website advises that the symptoms of COVID-19 can include the following:

- a. fever
- b. chills
- c. cough
- d. shortness of breath
- e. sore throat and painful swallowing
- f. stuffy or runny nose
- g. loss of sense of smell

- h. headache
- i. muscle aches
- j. fatigue
- k. loss of appetite
- l. less commonly, gastrointestinal symptoms like nausea, vomiting, or diarrhea.

During and after the hearing, if any parties become aware that anyone who has been present has experienced any symptoms related to COVID-19 or that anyone has come into close contact with a person with a suspected or confirmed case of COVID-19 during the previous 14 days, they must notify the relevant public health officials and the Board and follow any directions provided.

3. Arriving for your hearing:

You must arrive no earlier than 15 minutes before the hearing start time indicated on your Notice.

When you arrive, physical distancing measures will be in place:

- Non-medical masks are required in all public spaces and will be available upon request.
- Always keep a 2 metre (6 feet) physical distance between yourself and others.
- Once you arrive, you will be required to check in at reception.
- You will be asked to sanitize your hands before completing certain forms.
- Your body temperature may also be monitored by hand held equipment.
- Your hearing may be rescheduled if you do not meet the minimal screening requirements or if you have an above normal body temperature.
- You will be provided with directions to the hearing room.
- Remember to follow the directional floor markings and maintain physical distancing.
- Follow all directions provided by registration desk employees when providing or completing documentation.
- All public spaces will be sanitized frequently throughout the day.

People who are exempt from wearing a mask or face covering:

- Children under the age of 2.
- Individuals with a medical condition that makes it difficult to wear a mask. This can include but is not limited to:
 - Medical condition, mental health condition, cognitive condition or disability that prevents wearing a mask or face covering.
 - Medical condition that makes it difficult to breathe.
- People who are hearing impaired or are communicating with a person who is hearing impaired, and where the ability to see the mouth is essential for communication.

- Individuals who are unable to put on or remove a mask without assistance.
- Individuals requiring accommodation in accordance with the Canadian Human Rights Act.

4. Public Washrooms:

- The number of people using washrooms at one time will be limited to two people. Follow all signs and instructions.
- Please ensure to wash your hands often with soap and water for at least 20 seconds, especially after using the washroom.

5. In the Hearing:

- The physical layout of the hearing rooms, including the position of panel members, parties and the witness, may not be altered as it has been set to maintain a safe physical distance between all participants. The ability to move within a particular hearing room, such as by approaching a witness, may be restricted for physical distancing purposes.
- Non-medical masks must be worn at all times in hearing rooms, including when testifying or providing submissions, subject to exemptions. Individuals who wish to be exempted should raise their request with the presiding member.
- Hearing rooms are sanitized before your hearing starts and again after you leave.
- Plexiglas barriers may be installed in the hearing room as required based on the number of participants.
- Audio devices in hearing rooms have been reconfigured to allow for better recording. Speak clearly and loudly so the decision-maker is able to hear you through the screens.
- At the discretion of the presiding member, individuals participating in a hearing may be asked to remove a mask temporarily, for example, to clarify an audio issue; in order to ensure a full and proper hearing.
- Please sanitize your hands when entering and leaving the hearing room. Hand sanitizer dispensers will be available at the entrances and on the table.
- Oaths or Affirmations: If a witness wishes to give evidence under oath rather than by affirmation, they must bring a Bible or other religious book or sacred object to the hearing. There will be no Bibles or other religious books available.
- Exhibits, Documents, and Authorities: Parties should deliver copies of documents that they intend to enter as exhibits or rely on in cross-examination to other counsel/parties in advance, rather than simply passing them out in the hearing room. The same applies to common books of documents, written submissions, and briefs of authorities.

- Movement of documents and exhibits in the hearing room where unavoidable:
 - Where the passing of copies of documents or physical exhibits to others is unavoidable, parties must use the hand sanitizer available in the hearing room to sanitize their hands before and after handling the documents. In addition to hand sanitizer, there will be a supply of gloves for anyone who wishes to use them, as well as instructions for the safe use, removal, and disposal of gloves.
- Water will not be provided by the Board. Bring your own water bottle which you must take with you when you leave. Do not leave bottles, glasses, or cups in the hearing room or Board's offices.

6. After the Hearing:

- Once the hearing is completed, you must exit the hearing room and leave the building as soon as possible by following the directional markings and you must ensure you have your mask on.

THE FOREGOING IS SUBJECT TO CHANGE. ANY UPDATED DIRECTIONS WILL BE POSTED ON THE BOARD'S WEBSITE.