

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, 2007 the Commission had 42 outstanding applications. For the period April 1, 2007 to March 31, 2008, the Commission received 37 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	27	30	1
Expropriation Act	10	11	37

The Commission closed a total of 41 files. Of the 41 files, 6 were withdrawn, 35 were issued Certificates. A total of 36 certificates were issued, of which 32 Certificates were issued for Agreements/Offers to Settle and Conditional Releases, and 4 Certificates were issued for 3 contentious cases. This leaves the Commission with 38 outstanding applications (1 under *The Land Acquisition Act*, 37 under *The Expropriation Act*).

The Commission held Public Hearings in connection with land being acquired by Crown Lands and Property Agency (formerly Land Management Services) for the Department of Infrastructure and Transportation, Manitoba Floodway Authority, Manitoba Water Stewardship, Department of Conservation, and The City of Winnipeg.

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 Land Management Services. There were a total of 22 properties covered 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	Estimate	Variance	Expl.
Sub-Appropriation	2006/07	2006/07	Over(Under)	No.
	\$(000)	FTE	\$(000)	
Other Expenditures	8.5		27.4	(18.9)