SUBJECT: Multi-Residential Property Taxation: Staff Response to the Multi-Residential Sub-Committee Recommendations (FCS09031) (City Wide) (Item F of Committee of the Whole Outstanding Business List)

RECOMMENDATION:

a) That, for the 2009 taxation year, the Multi-Residential tax ratio be maintained at the Provincial Threshold of 2.74 and thus allowing the Multi-Residential property class to receive the full benefit of the 2009 assessment-related tax reduction; and

b) That Item F “Multi-Residential Tax Ratio - Options” be removed from the Committee of the Whole Outstanding Business List.

EXECUTIVE SUMMARY:

On March 26th, 2008, the Multi-Residential Property Taxation Sub-Committee submitted their report to COW for consideration. There were six recommendations made by the committee. Council approved a number of recommendations and referred a recommendation to reduce the multi-residential tax ratio (2.74) to equal that of the residential tax ratio (1.00) to staff.

As identified in the Multi-Residential Property Taxation Sub-Committee Report 08-001, the recommendation to reduce the tax ratio of the multi-residential class to one would result in a tax shift of over $40 million from the Multi-Residential class onto the remaining property classes. Approximately $31 million of this increase would be borne by the residential property class which would equate to a municipal tax increase of 8%. This
significant tax increase would be in addition to any budgetary or reassessment increase. The sub-committee recommended a number of possible phase-in options (further information provided in the “Background” section of this report).

At issue, is a tax rate for multi-residential properties which is 2.7 times higher than the residential tax rate. At the surface, this leads to a conclusion that the multi-residential taxpayer has a tax burden grossly in excess of that of the residential tax class. While the results of the sub-committee recommendations reflect a desire for fairness, in practical terms, it is not clear to staff that the multi-residential class has an inappropriate tax burden justifying a $40+ million shift in taxes.

The issue focuses on the method of assessing residential properties versus multi-residential properties. Residential properties are assessed based on current value (sales) and multi-residential properties are assessed based on income generated. While MPAC incorporates sales into its review of multi-residential properties, the activity is often limited and difficult to find comparable properties. It is staff’s contention that the difference in assessment methods leads to assessed values that are significantly lower for the multi-residential class.

A number of indicators were reviewed by staff to evaluate the merits of equalizing the tax ratio for multi-residential properties:

♦ 2008 average taxes, per dwelling, are significantly lower for a Multi-Residential property class than a Residential property class:
  ▪ $1,699 for the average multi-residential unit versus $2,284 for the average “condo” and $3,443 for the average single family dwelling.
  ▪ Taking into account the Ontario Tax Credit creates a further disparity between average taxes per dwelling.

♦ In a survey of other municipalities, Hamilton’s residential taxes are 11% above the survey average while only 7% above the survey average with respect to multi-residential taxes (as identified in staff report FCS08102 “Municipal Tax Competitiveness Study-2007”).

♦ In 2008, the average multi-residential unit is assessed at $42,600. Condominiums have an average assessment of $147,900 and a single family home an average of $221,900.

♦ No documented evidence that a reduced multi-residential tax ratio equates to lower rents:
  ▪ Municipalities who have reduced their multi-residential tax ratio have seen rent increases at the same rate or higher than those communities with minimal or no reduction to their multi-residential tax ratio (rents are market driven).
  ▪ Although Hamilton has a high multi-residential tax ratio, the average rent for a two-bedroom apartment in Hamilton (CMA) continues to be among the lowest in Ontario, with average rent increases being one of the lowest (below the rent guideline).
Since amalgamation, residential taxes have increased on average 31%. Multi-residential taxes, during this time, have increased only 16%.

If the tax ratio for multi-residential property class was reduced to 1 (based on 2008 data):

- the average taxes for a multi-residential unit would be $741 (down from the current 2008 average of $1,699), compared to the average of an apartment condominium of $2,434.
- The average apartment would be paying taxes equivalent to that of a $45,000 home.
- A home in Hamilton assessed at $100,000 would be paying 2.2 times the taxes of the average apartment.

Staff are recommending to continue monitoring the tax burden of the multi-residential class. As well, similar to other municipalities, staff are recommending that the multi-residential tax ratio be reduced to offset reassessment increases, when this occurs. For 2009, as identified in report FCS09025 “2009 Reassessment Impacts”, the multi-residential property class is benefiting from an average assessment-related tax decrease of -0.5%.

Should Council want to consider a reduction in the multi-residential tax ratio, staff would suggest reducing it to a target of 1.99 (the current 2009 commercial tax ratio). Targeting the commercial ratio is consistent with most municipalities that have set a target for reduction. As well, staff would recommend that any reduction be phased-in to minimize the impact on the other property classes.

**BACKGROUND:**

A Multi-Residential Sub-Committee was established in 2007 to thoroughly review the property taxation of the multi-residential property class. This sub-committee was to report back to Committee of the Whole prior to the 2008 budget process. The sub-committee, made up of Council members, tenant’s advocates, landlords, homeowners/ratepayers and representatives from the business sector, met on four occasions from November 2007 to March 2008. During these meetings, the sub-committee received presentations from staff, MPAC and landlords, addressing issues, such as, tax ratios, taxes per multi-residential unit, comparison to residential taxes, comparison to other municipalities, rents, assessment, etc.

The following were the recommendations from the Multi-Residential Sub-Committee presented to Committee of the Whole on March 26/27th, 2008:

**THE MULTI-RESIDENTIAL PROPERTY TAXATION SUB-COMMITTEE PRESENTS REPORT 08-001 AND RESPECTFULLY RECOMMENDS:**
1. Multi-Residential Tax Ratio

(a) That the following options respecting the Multi-Residential Tax Ratio be considered by Committee of the Whole:

That City Council adopt a target of reducing the current Multi-Residential Tax Ratio of 2.74 to the Single Family Residential Tax Ratio of 1.00 over a ten (10) year period (by fiscal year 2017), at an estimated impact of $43 Million (tax increase of 8.0% on the Residential and Commercial/Industrial property classes); and that this reduction be achieved through utilization of Option 1(a), Option 1(b) or Option 1(c) in a manner to have the largest reduction in the Multi-Residential tax ratio in a fiscal year:

Option 1(a)
That, in the first year, the Multi-Residential tax ratio be reduced by 20% of the difference between the current tax ratio of 2.74 and 1.00, and that the remaining difference between the Multi-Residential tax ratio and the Residential tax ratio of 1.00 be spread equally over years two through ten.
Year 1 tax ratio reduced by -0.3480 (from 2.74 to 2.3920)
Year 1 = $8.0 M (11.3%) reduction to the Multi-Residential class
Year 1 = Municipal Residential tax impact of 1.6%
Year 1 = Municipal Commercial / Industrial tax impact of 1.6%

Option 1(b)
That only 50% of the budgetary increase be passed onto the Multi-Residential property class
Subject to finalization of the 2008 budget:
Year 1 tax ratio reduced by -0.0600 (from 2.74 to 2.68)
Year 1 = $1.4M (1.9%) reduction to the Multi-Residential class
Year 1 = Municipal Residential tax impact of 0.3%
Year 1 = Municipal Commercial / Industrial tax impact of 0.3%

Option 1(c)
That the impacts of future reassessment be reviewed for opportunities to achieve equalization

(b) That $1 Million of the $2.3 Million allocated to the Business Tax Reduction (Hamilton Future Fund) be allocated to a rent supplement program

(c) That Council forward a letter to the Province requesting opportunities to enhance the Ontario property tax credit and/or make changes to existing legislation to broaden delivery of rebate programs

(d) That the City of Hamilton commission a report to review municipal services for tenants in Hamilton in comparison to services received by home owners (i.e. Property standards, garbage collection etc.)
(e) That letters be sent to tenant households as part of the educating of tenants to provide information on average taxes per unit and municipal services provided by the City Of Hamilton at an estimated cost of $50,000

(f) That the Multi-Residential Property Taxation Sub-Committee reconvene in 2009 to evaluate the process and review the 2009 Re-assessment Impact Study

Council subsequently approved all the above recommendations with the exception of recommendation (a). This report deals only with recommendation (a), as Council referred this item to staff for a report back outlining the ramifications.

**ANALYSIS/RATIONALE:**

**Tax Ratios**

The following Table identifies the multi-residential tax ratios from 1998-2008 for several Ontario municipalities:

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Windsor</td>
<td>2.5202</td>
<td>2.5202</td>
<td>2.5202</td>
<td>2.7400</td>
<td>2.7400</td>
<td>2.7400</td>
<td>2.6495</td>
<td>2.6495</td>
<td></td>
<td>5.1%</td>
<td>5.1%</td>
</tr>
<tr>
<td>Mississauga</td>
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<td>1.7336</td>
<td>1.7336</td>
<td>1.7050</td>
<td>1.6322</td>
<td>1.7788</td>
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<td>1.7788</td>
<td></td>
<td>2.6%</td>
<td>2.6%</td>
</tr>
<tr>
<td>London</td>
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<td>2.1077</td>
<td>2.1077</td>
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<td>2.2336</td>
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<td>2.1455</td>
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<td>1.8%</td>
</tr>
<tr>
<td>Kingston</td>
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<td>2.6526</td>
<td>2.6526</td>
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<td>2.6627</td>
<td>2.7389</td>
<td>2.7389</td>
<td>2.6750</td>
<td></td>
<td>0.8%</td>
<td>0.8%</td>
</tr>
<tr>
<td>Chatham-Kent</td>
<td>2.1488</td>
<td>2.1488</td>
<td>2.1488</td>
<td>2.1488</td>
<td>2.1488</td>
<td>2.1488</td>
<td>2.1488</td>
<td>2.1488</td>
<td></td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Guelph</td>
<td>3.0987</td>
<td>2.7400</td>
<td>2.7400</td>
<td>2.7400</td>
<td>2.7400</td>
<td>2.7400</td>
<td>2.7400</td>
<td>2.7400</td>
<td></td>
<td>-11.6%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Halton</td>
<td>2.4439</td>
<td>2.2619</td>
<td>2.2619</td>
<td>2.2619</td>
<td>2.2619</td>
<td>2.2619</td>
<td>2.2619</td>
<td>2.2619</td>
<td></td>
<td>-7.4%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Peel1</td>
<td>1.7336</td>
<td>1.7336</td>
<td>1.7336</td>
<td>1.7050</td>
<td>1.7050</td>
<td>1.7050</td>
<td>1.7050</td>
<td>1.7050</td>
<td></td>
<td>-1.6%</td>
<td>-1.6%</td>
</tr>
<tr>
<td>Niagara</td>
<td>2.5568</td>
<td>2.1169</td>
<td>2.0000</td>
<td>2.0000</td>
<td>2.0990</td>
<td>2.0600</td>
<td>2.0600</td>
<td>2.0600</td>
<td></td>
<td>-19.4%</td>
<td>-2.7%</td>
</tr>
<tr>
<td>Brantford</td>
<td>2.3193</td>
<td>2.3193</td>
<td>2.3193</td>
<td>2.2450</td>
<td>2.4085</td>
<td>2.3900</td>
<td>2.3900</td>
<td>2.3900</td>
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<td>-7.9%</td>
<td>-7.9%</td>
</tr>
<tr>
<td>Hamilton</td>
<td>3.0614</td>
<td>2.9990</td>
<td>2.8326</td>
<td>2.6863</td>
<td>2.7400</td>
<td>2.7400</td>
<td>2.7400</td>
<td>2.7400</td>
<td></td>
<td>-10.5%</td>
<td>-8.6%</td>
</tr>
<tr>
<td>Toronto</td>
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<td>4.1743</td>
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<td>3.7617</td>
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<td>-16.9%</td>
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<td>Ottawa</td>
<td>2.3359</td>
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<td>2.1780</td>
<td>2.1520</td>
<td>2.1520</td>
<td>1.8000</td>
<td>1.8000</td>
<td>1.7500</td>
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<td>-25.1%</td>
<td>-19.7%</td>
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<td>Waterloo</td>
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<td>2.7400</td>
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<td>Durham</td>
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<td>2.0750</td>
<td>1.9188</td>
<td>1.8665</td>
<td>1.8665</td>
<td>-31.1%</td>
<td>-25.0%</td>
</tr>
<tr>
<td>York</td>
<td>2.0875</td>
<td>1.6500</td>
<td>1.3000</td>
<td>1.0000</td>
<td>1.0000</td>
<td>1.0000</td>
<td>1.0000</td>
<td>1.0000</td>
<td>1.0000</td>
<td>-52.1%</td>
<td>-39.4%</td>
</tr>
<tr>
<td><strong>Average</strong></td>
<td><strong>2.6399</strong></td>
<td><strong>2.4104</strong></td>
<td><strong>2.3652</strong></td>
<td><strong>2.2741</strong></td>
<td><strong>2.3149</strong></td>
<td><strong>2.3082</strong></td>
<td><strong>2.2509</strong></td>
<td><strong>2.2278</strong></td>
<td><strong>2.2047</strong></td>
<td><strong>-16.5%</strong></td>
<td><strong>-8.5%</strong></td>
</tr>
</tbody>
</table>

1 1998 Transition Ratio prescribed by the Province to maintain the same level of tax burden to that of 1997 (prior to the introduction of CVA)

2 Caledon and Brampton only (Mississauga established different ratios 2004 - 2007)


As shown in the above Table, the City of Hamilton has reduced its’ multi-residential tax ratio -8.6% since 2001, which is slightly greater than the sample average of -8.5%. The above Table also shows that Hamilton’s multi-residential tax ratio is not the highest, and that, with the exception of York Region, all municipalities have a multi-residential tax ratio greater than one. While some municipalities have had planned reductions to their multi-residential tax ratio, most reductions are a result of the impact of reassessments and tax levy restrictions.
The following Table highlights the current multi-residential tax ratio policies of a number of municipalities:

<table>
<thead>
<tr>
<th>Municipality</th>
<th>2008 Tax Ratio</th>
<th>At Provincial Threshold</th>
<th>Target Ratio = to Commercial (or an amount greater than 1.0)</th>
<th>No Target</th>
<th>Ratio of 1.0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guelph</td>
<td>2.7400</td>
<td>X</td>
<td></td>
<td></td>
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<tr>
<td>Hamilton</td>
<td>2.7400</td>
<td>X</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Toronto</td>
<td>3.4689</td>
<td>2.50</td>
<td></td>
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<tr>
<td>Windsor</td>
<td>2.6495</td>
<td>2.17</td>
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<tr>
<td>Kingston</td>
<td>2.6750</td>
<td>2.10</td>
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<tr>
<td>Halton</td>
<td>2.2619</td>
<td>2.00</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Windsor</td>
<td>2.1500</td>
<td>1.95</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Ottawa</td>
<td>1.7500</td>
<td>1.80</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Niagara</td>
<td>2.0600</td>
<td>1.50</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Durham</td>
<td>1.8665</td>
<td>1.45</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>London</td>
<td>2.1455</td>
<td></td>
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<td>X</td>
<td></td>
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<tr>
<td>Chatham-Kent</td>
<td>2.1488</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Peel</td>
<td>1.7050</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Brantford</td>
<td>2.1355</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>York</td>
<td>1.0000</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

As shown in the above Table, municipalities with a plan to reduce their multi-residential tax ratio, have set a target equal to that of their commercial tax ratio, not a ratio of 1.00. In recognition of the fact the multi-residential properties have lower assessed values than residential properties (condos), these municipalities have come to the conclusion that a tax ratio greater than 1.00 (ranging from 1.45 to 2.50) would be fair.

**Tax Burden**

The following Graph identifies how Hamilton's multi-residential taxes per unit compares to the residential property class, as well as, how each class compares to other municipalities.
As shown in the Graph on the previous page, the tax burden in Hamilton, on a residential property, is significantly higher than that of a multi-residential property. The 2007 taxes on a multi-residential unit equates to that of a residential property assessed at approximately $108,000. The 2007 average assessment for a single family dwelling in Hamilton was approximately $220,000.

When compared to other municipalities, the multi-residential property class is more competitive at 7% above the sample average, when compared to the residential property class at 11% above the sample average.

When comparing Hamilton’s annual tax impacts, the following table identifies how the multi-residential annual property tax impacts have generally been lower than the Residential property tax impacts since 2001:

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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>0.5%</td>
<td>4.6%</td>
<td>3.6%</td>
<td>5.9%</td>
<td>3.2%</td>
<td>2.2%</td>
<td>3.4%</td>
<td>3.8%</td>
<td>1.9%</td>
<td>31%</td>
</tr>
<tr>
<td>Multi-Residential</td>
<td>-1.4%</td>
<td>-1.4%</td>
<td>1.9%</td>
<td>4.2%</td>
<td>3.0%</td>
<td>1.3%</td>
<td>3.9%</td>
<td>3.5%</td>
<td>1.8%</td>
<td>16%</td>
</tr>
</tbody>
</table>

Rents
The following Graph identifies the average rent for a two-bedroom apartment from 1998 to 2008 as reported by the Canada Mortgage and Housing Corporation for several municipalities (CMA’s) in Ontario. The average rent for a two-bedroom apartment for the Hamilton CMA continues to be below the average of those identified in the graph. (Note: 2008 average rent for a two-bedroom for Hamilton CMA of $836 is driven up by Burlington, isolating just the former City of Hamilton, the average rent would fall to $761).

The increase in the average rent over this time period for Hamilton (from $662 in 1998 to $836 in 2008) equates to approximately 26%, which is just slightly lower than the
average increase of those identified in the graph above and less than the rent guideline over this same time period of 29%.

Municipalities with significant reductions to their multi-residential tax ratios over this same time period have not seen corresponding significant reductions in the average rent. For example, as identified previously, Ottawa has reduced its multi-residential tax ratio - 25% from 1998 to 2008; however the average rent for a two-bedroom apartment has increased 32% over this same time period. Similarly, Waterloo Region (Kitchener above) has reduced its multi-residential tax ratio -33% from 1998 to 2008, yet the average rent for a two-bedroom apartment has increased 32% as well.

**ALTERNATIVES FOR CONSIDERATION:**

Below are the municipal tax impacts to the remaining property classes if the multi-residential tax ratio is reduced. These tax impacts would be in addition to the reassessment and budgetary tax impacts.

Multi-Residential tax ratio reduced to 2.50 (not recommended)
- $5.7 million shifted from the Multi-Residential class to remaining classes
- 1.0% municipal tax increase to remaining classes

Multi-Residential tax ratio reduced to 2.30 (not recommended)
- $10.5 million shifted from the Multi-Residential class to remaining classes
- 1.9% municipal tax increase to remaining classes

Multi-Residential tax ratio reduced to 1.99 (Hamilton’s 2009 Commercial tax ratio) (not recommended)
- $18.1 million shifted from the Multi-Residential class to remaining classes
- 3.2% municipal tax increase to remaining classes

**NOTE:** reducing the commercial tax ratio to the Provincial threshold equates to a 0.3% municipal tax increase to the other property classes. Bringing the commercial property class to the threshold would benefit both the residential and multi-residential property classes in that the commercial class would no longer be levy restricted.

**FINANCIAL/STAFFING/LEGAL IMPLICATIONS:**

Reducing the multi-residential tax ratio to equal that of the residential tax ratio (1.00) would result in a tax shift of over $40 million from the multi-residential class onto the remaining property classes (over 70% of this increase borne by the residential property class) which equates to a tax increase of 8% to the residential and commercial/industrial property classes.
POLICIES AFFECTING PROPOSAL:

Property taxation of the Multi-Residential property class is part of the overall annual tax policy for the municipality.

RELEVANT CONSULTATION:

MPAC, other municipalities and the Taxation Division were consulted in reviewing this policy.

CITY STRATEGIC COMMITMENT:

By evaluating the “Triple Bottom Line”, (community, environment, economic implications) we can make choices that create value across all three bottom lines, moving us closer to our vision for a sustainable community, and Provincial interests.

- Community Well-Being is enhanced. ☑ Yes  ☐ No
- Environmental Well-Being is enhanced. ☑ Yes  ☐ No
- Economic Well-Being is enhanced. ☑ Yes  ☐ No

Does the option you are recommending create value across all three bottom lines? ☑ Yes  ☐ No

Do the options you are recommending make Hamilton a City of choice for high performance public servants? ☐ Yes  ☑ No