

## **Public Input from Blue Ribbon Panel Property Rights (BRPPR) Open House in Burlington on April 11, 2017.**

The meeting was hosted by Joan Olech and Don Johnson.

### **Input from the audience covered the following topics:**

#### TRANSFER OF PROPERTY

- Lawyers supported Teranet, as it was easier and more convenient for them to transfer property
- Instead of having to do a manual title search, lawyers have a software stick, which allows them to do a land transfer electronically. There is no record of who did the transaction
- The Law Society does not have a “fail safe” and there are no records.
- Over the years information can disappear and there is no paper trail and no recourse
- The original Land Patent Grant information, which grants certain rights, may be lost and the landowner does not know what rights (timber, minerals, or water) were granted to their property
- Need to return to the Government Registry system, as provided for in the BNA Act, with “wet ink” signatures
- Need traceability of ownership of properties
- Need proper deeds, not just land transfers, with wet ink signatures. Need transfer of rights with a paper trail, as information gets lost in the metadata.
- Title insurance was started in the US. It protects lawyers and buyers; not the landowners selling the property

#### CONSERVATION AUTHORITIES

- There has been first reading of a bill to fire everyone on Conservation Authority boards. Only people with environmental experience, such as planners, will be hired back
- Municipal oversight will be gone if only “qualified” folks are on Conservation Authority boards. Conservation Authorities were originally set up to advise Municipalities
- Conservation Authority has become huge financial drain; supposed to cooperate with private property owners
- Conservation Authority do NOT cooperate. They have the right to expropriate land, and pay for it, but they instead they choose to designate land, reducing its value, and then it is sold at a lower price than surrounding properties
- Conservation Authorities overstep bounds and introduce new policies
- Private companies buying land in collusion with Non Governmental Organizations (NGO) and Governmental Organizations (GO)
- Attorney General needs to apply law of Expropriation Act (and others?)

- The accuser needs to carry “burden of proof”. The person who has been charged has to prove they are innocent, rather than you are innocent until proven guilty
- No repercussions if NGO/GO agent oversteps
- Oversight of Conservation Authorities

How to ensure landowners are informed of designation changes in Official Plans, or any impactful change to their property (in the same manners as tax bills).

- System to enable the “right” to be at the table
- Three notices in the newspaper is not sufficient notice
- Landowner should be notified three months ahead

Zoning meetings need to get owner’s approval for a change.

- Currently the onus is reversed; three zoning meetings are held and if you do not attend the zoning change goes ahead

Court challenges are required to fix problems, for example, disputes with Conservation Authorities

- Individual property owners become buried in legal fees and go broke quickly.
- Government is not protecting individuals as they do in criminal cases, where the government will take over the fees. The government should pay for the lawyer’s fees for both sides

Development leapfrogs over Green Belt and more subdivisions are built on the other side of the Green Belt

- The Niagara Escarpment Commission was supposed to buy property when it was designated Green Belt. However, when this became too expensive the land was just designated Green Belt

Municipalities are slow to give permits to build on lots that are currently available.

- This is part of the reason for the lack of affordable housing

Approach Law Society to field questions on issues affecting property rights

All three levels of government need to meet the basis of the Magna Carta

Engage Marketplace to investigate issues and bring awareness

Farm ownerships passing in a family are taxed excessively with Property Taxes and Inheritance Tax. This may result in families have to sell the farms

#### POSSIBLE SOLUTIONS TO FIX PROBLEMS

There is a difference between a full solution and what is politically doable

- Need stages; won’t change everything with one Progressive Conservative Policy Convention

- Change bureaucracy. Tell the bureaucrats to obey the law
- Create discussion that property rights are essential rights

Strategic plan is good. Ontario Progressive Conservative Party provides leadership.

- Need an expert in government to review impact and balance of Property Rights on current legislation

All parties could elect a person with power to oversee the legislation with regards to Property Rights (like the Attorney General)

The pendulum has swung too far towards “environmentalism”

- Education on Property Rights for the PC caucus and the broader population
- Have to be mindful of balance between conservation, and social and economic factors

Definition of who owns public lands--Municipalities vs NGO lands

Fair and equal representation in court (with money) leads to fair legislation to protect private property rights

There should be a penalty to Government Organizations if they lose a court case

- There should be no appeals and someone should be held accountable

Media release/blitz to raise support and money

Marketing to create members and momentum

- Short film on TVO to educate public on property rights

BRPPR prepare a questionnaire on rights—10 crazy, loaded questions.

For instance, “Do you believe the government has the right to tell you that you have to share your car, your swimming pool or your body parts,

- give money to the poor,
- allow a homeless person to live in your empty bedroom?”