



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 126 - 2016

A By-Law to

Establish a Scale of Costs under the *Municipal Act, 2001* (R.S.O. 1990) and to repeal By-Law 33-2008

WHEREAS subsection 385 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, authorizes the Council of a municipality, by way of a by-law to fix a scale of costs to be charged as the reasonable costs of proceedings under the *Act*;

AND WHEREAS the scale of costs must be designed to meet only the anticipated costs of the municipality;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:


1. That By-Law 33-2008 passed on February 13, 2008, is hereby repealed.
2. That the costs to be charged for the proceedings under the *Municipal Act, 2001*, Part XI, Sale of Land for Tax Arrears, shall be and are those set out and listed on Schedule "A" to this by-law, which Schedule "A" hereby forms part of this by-law.
3. This By-law comes into effect on the date it is enacted by Council.

READ A FIRST, SECOND AND THIRD TIME AND PASSED IN OPEN COUNCIL THIS 22nd day of June, 2016.

Approved as to
form.
25 / 05 / 2016
JZ
J. Zingaro

Approved as to
content.
2016/05/26
PEH
P. Honeyborne


Linda Jeffrey, Mayor


Peter Fay, City Clerk

Schedule "A" To By-Law # 126-2016

Scale of Costs – Sale of Land for Tax Arrears

Part XI (Section 385)

The following scale of costs is to be charged to each individual property where the Tax Sale process, as provided in Part XI of the *Municipal Act, 2001*, has been commenced.

Tax Sale Process Stage 1

Costs \$1,250.00 (plus HST if applicable)

Includes all or parts of Sections 373 to 376 inclusive as required in situation.

- Administrative costs
- Notices prepared and sent under the *Farm Debt Mediation Act*
- All required searches including title search and execution searches
- Preparation and registration of Tax Arrears Certificate
- Preparation and mailing of First Notices
- Preparation of Statutory Declaration
- Preparation and Registration of Cancellation Certificate if required.

Extension Agreement

Costs \$750.00 (Plus HST if applicable)

Includes Section 378 inclusive as required in situation.

- Negotiation of terms and conditions
- Preparation of document
- Report to council and authorizing By-law
- Execution of the agreement

Tax Sale Process Stage 2

Costs \$500.00 (Plus HST if applicable)

Includes Section 379 (1) inclusive as required in situation.

- Preparation and mailing of Final Notices

Tax Sale Process Stage 3

**Costs \$3000.00 (Plus HST if applicable)
plus actual incurred advertising costs**

Includes all or part of Section 379(2) to 380 inclusive as required in situation.

- Preparation of Statutory Declaration regarding Final Notices
- Preparation of the Advertisements
- Preparing Tender packages
- Conducting Public Sale and determining whether there is a successful purchaser
- Returning of rejected tenders and accompanying deposits
- Notification to Highest two acceptable tenderers
- Preparation of Tax Deed or Notice of Vesting and Statutory Declaration
- Payment into Court – Statement of Fact
- Letter and Copy of Statement of Fact to Public Guardian and Trustee
- Letter and Copy of Statement of Fact to all appropriate interested parties
- Survey Costs if required

- **Advertising Costs**

Actual Costs Incurred

This Scale of Costs has been designed to meet only the reasonable anticipated costs of the Municipality.