

Taxing Occupy protesters hits a nerve with readers

BY DON CAYO, VANCOUVER SUN NOVEMBER 1, 2011

's blog post on why protesters camped out at Vancouver Art Gallery could be hit with city tax bills drew a lot of comments from readers. Here's what he said, followed by a selection of the responses:

Politicians dithering about how to deal with Occupy Vancouver protesters have been overlooking at least one legal option.

Because the law of the land already provides a ready-made solution to the city's dilemma about what to do about the no- end -in-sight protest on the Vancouver Art Gallery lawn. It may not provide a mechanism to move the protesters along, but it does provide - indeed, the wording appears to require - action that would help the city recover the cost of dealing with them.

Under normal circumstances, the publicly owned art gallery land is exempt from city property taxes. But this changes as soon as Crown land is occupied by a taxable person or company, says Paul Sullivan, the property tax guru from Burgess Cawley Sullivan who co-chairs the technical committee of the Vancouver Fair Tax Coalition.

"As soon as it is occupied by anybody who is not exempt, it becomes taxable," he told me. "There's no minimum time for the occupation."

Provincial law, he said, requires the provincial assessment authority to add the market value of the occupied land to the city's tax roll, and the city to tax the individuals who occupy it.

Sullivan's associate, Peter Forward, said it's difficult to speculate with confidence on how much the tax bill for the occupied property would be. The art gallery building is a heritage structure, which complicates any assessment of the total property, and since the building isn't occupied by the protesters its value would have to be deducted from the property's total assessment. And then a determination would have to be made of what percentage of the land is being occupied.

But he estimated the total value of the art gallery land at about \$9 million, and he calculated that, if it were assumed the occupiers had taken up a third of the land, the annual property taxes due would be about \$57,000.

COMMENTS:

ewot: This is probably as close as we will come to the ultimate solution to these kind of conflicts of use of public property. That solution is to privatize the ownership. Then any conflict arising from who can use the property, when, for what purpose and for how long would be solved quickly.

LouisCyphre: If they get removed they'll return. The city could benefit from a space like this, culturally, politically. It's a generational and technological shift really. This is going to be the norm from now on, folks.

TT Esty: The question that must be asked of Mr. Cayo as well as his referenced 'politicians' is why do they want to move the Occupy Vancouver protesters?

Does the tent city aggravate their sense of esthetics? Grass does look much neater and orderly. Is it, perhaps, a latent envy of old white men about the youthful exuberance of youth in their idealization for a better world?

Perhaps, Mr. Cayo and his coterie having mishandled the responsibilities of their generation are embarrassed by the exposure and see denial more preferable.

Youth has always challenged generational folly because they are the inheritors of the collateral damage. Unfortunately, the brightness of their idealism is dulled by the seductive promise of their elders who, having trod a path, cannot conceive of another. Such is the tent city a reminder that perhaps another way was there and not taken. The folly of youth is to dream and the folly of elders is to ignore the dreams.

Proud Surrey Man: @ TT Esty: Both dreaming and the ignoring of dreams do not require damaging public property, or restricting access to it for the rest of the public. Their actions are illegal and selfish. Plenty of reasons to move them along, none really to let them stay.

Rodney King: The left-wing loons want everyone else to pay higher taxes except themselves. Time to pay up!

onyxescence: Definitely tax anyone who can be taxed. We have to pay our bills like the \$30-million bill to Boss Mines, BC Hydro billions of bills on our behalf, CLBC's [Community Living BC] 'performance bonuses.' Tax the protesters by all means if it helps pay for the best and the brightest to run our province.

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