



# **Buildings Accessibility Appeal Tribunal**

**Annual Activity Report  
2014-15**

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**PAPER**

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**REFERENCE PERIOD**

**This report covers the period April 1, 2014 through March 31, 2015,  
the fiscal year of the Buildings Accessibility Appeal Tribunal.**

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## Chairperson's Message

As Chairperson of the Buildings Accessibility Appeal Tribunal, I am pleased to submit the Annual Activity Report for 2014-15. This report is prepared in compliance with the *Transparency and Accountability Act* which categorizes the tribunal as a Category Three government entity and requires the tribunal to submit an annual report. The tribunal is accountable for the preparation of this report and for the results reported.

The tribunal's objective is to process all appeals in accordance with the requirements of the *Buildings Accessibility Act* and its associated regulations.

Yours truly,

A handwritten signature in blue ink, appearing to read 'John Hearn', with a large loop at the end.

John Hearn  
Chairperson

## Overview

The Buildings Accessibility Appeal Tribunal (the “tribunal”) is an independent, quasi-judicial body which has the function of hearing and adjudicating an appeal made under section 23 of the *Buildings Accessibility Act*. The tribunal, after hearing an appeal, may confirm, revoke or vary the action taken by the Director of Engineering and Inspection Services with respect to administration of the *Act* and Regulations. The tribunal is appointed by the Lieutenant-Governor in Council under the authority of section 20 of the *Act*. It is comprised of five members including a chairperson, a vice-chairperson and three persons, one of whom shall be a representative of persons with disabilities.

The current board membership is as follows:

1. Mr. John Hearn, Chairperson
2. Ms. Patsy Yetman, Vice-Chairperson
3. Ms. Carrie-Ann Bugden
4. Ms. Amanda Lush
5. Mr. Leon Mills

## Mandate

The tribunal's mandate is to hear and adjudicate appeals of notices, decisions, directions or orders confirmed or varied by the Director of Engineering and Inspection Services with respect to buildings accessibility. Decisions of the tribunal are based on a review of written and oral submissions and documents and may be appealed to the courts. The tribunal convenes only when an appeal has been filed.

## Vision

The tribunal has adopted Service NL's vision for this planning cycle, which is as follows: *People in Newfoundland and Labrador living and working in healthy, fair and safe environments with access to efficient and responsive programs and services.*

The tribunal supports the department's vision by working to ensure the fair and equitable application of its mandate as outlined in legislation (i.e. hearing and adjudicating appeals).

## Mission

The tribunal has adopted Service NL's mission for this planning cycle, which is as follows:

*By March 31, 2017, Service NL will have enhanced program and service delivery through improved standards and regulatory processes that promote living and working in a healthy, fair and safe environment.*

The tribunal contributes to Service NL's mission by ensuring that the regulation of buildings accessibility is carried out in a fair and consistent manner, through the provision of an appeal mechanism in relation to notices, decisions, directions or orders confirmed or varied by the director under section 17 of the *Buildings Accessibility Act*.

For Service NL's full mission statement, including its associated measures and indicators, please refer to Service NL's 2014-17 Strategic Plan available online at:

<http://www.servicenl.gov.nl.ca/publications>

## Values

In achieving its vision, the board has adopted the values of Service NL and will communicate these values to its stakeholders through the following action statements:

**Integrity:** Each individual engages in ethical behaviour and exercises the proper use of authority and responsibility.

**Collaboration:** Each individual supports others through communication and consultation with co-workers, industry partners and the public.

**Accountability:** Each individual accepts responsibility for their actions and is responsive to meeting public needs and delivering on departmental commitments in a timely, efficient and satisfactory manner.

**Respect:** Each individual accepts differences, embraces diversity and exercises a caring attitude in their encounters with others.

**Excellence:** Each individual demonstrates excellence in providing service to the public.

## Primary Clients

The tribunal's clients are contractors, builders, owners and designers of buildings that are subject to the requirements of the Act and believe they have been aggrieved by a decision of the director.

## Revenues and Expenditures

The Buildings Accessibility Appeal Tribunal has no revenues. The tribunal is funded through the operating budget of the Government Services Branch of Service NL. The Buildings Accessibility Appeal Tribunal is not required to submit audited financial statements.

## Activities

The Buildings Accessibility Appeal Tribunal meets only when an appeal has been filed pursuant to section 23 of the *Buildings Accessibility Act*. One appeal was filed in fiscal year 2014-15.

**Objective:** By March 31, 2015, the Buildings Accessibility Appeal Tribunal will have processed all appeals it has received in accordance with the requirements of the *Buildings Accessibility Act*.

**Measure:** All appeals processed.

**Indicators:**

- Hearing of appeal commenced not later than 30 days after receipt of written notice of appeal.
- Decision of appeal provided to appellant in writing within 45 days of hearing appeal.

**Results Achieved:**

The Buildings Accessibility Appeal Tribunal received one appeal during the 2014-15 fiscal year. The appeal hearing was held on March 31, 2015 which was within 30 days of receipt of the appeal as specified by legislation.

With respect to the second indicator noted above, given the timing of the hearing, the decision resulting from the appeal was not rendered in 2014-15. This will be reflected in the 2015-16 Annual Report.

The Tribunal will report on the same objective, measure and indicators in 2015-16.