



# **Buildings Accessibility Appeal Tribunal**

**Annual Activity Report  
2016-17**

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**REFERENCE PERIOD**

**This report covers the period April 1, 2016 through March 31, 2017,  
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 2016-17. 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.

## 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.

## 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*. There were no appeals filed in fiscal year 2016-17.

**Objective:** By March 31, 2017, 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 did not receive any appeals during the 2016-17 fiscal year.

The tribunal will report on the same objective, measure and indicators in 2017-18.