



Digital Government and Service NL

# **Buildings Accessibility Appeal Tribunal**

**Annual Activity Report  
2019-20**

**For More information:**

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**REFERENCE PERIOD**

This report covers the period April 1, 2019 through March 31, 2020,  
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 2019-20. 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 "Michael Duffy", is written over a large, light blue circular scribble.

Michael Duffy  
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 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. Members of the tribunal for 2019-20 were:

- Michael Duffy, Chairperson
- Derrick House, Vice-Chairperson
- Emily Mayne
- Stephen Burbridge
- Mandy Penney

## 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.

## Revenues and Expenditures

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

## Report on Performance

Report on 2019-20 Objective

The Buildings Accessibility Appeal Tribunal meets only when an appeal has been filed pursuant to section 23 of the Act.

**Objective:** By March 31, 2020, the Buildings Accessibility Appeal Tribunal will have processed all appeals it has received in accordance with the requirements of the Act.

### 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 no appeals during the 2019-20 fiscal year.

**Report on 2017-20 Objectives**

The Buildings Accessibility Appeal Tribunal meets only when an appeal has been filed pursuant to section 23 of the Act.

**Objective:** By March 31, 2018, 2019, and 2020, the Buildings Accessibility Appeal Tribunal will have processed all appeals it has received in accordance with the requirements of the Act.

**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.

The Tribunal heard one appeal during the 2017-18 fiscal year, one in the 2018-19 fiscal year, and no appeals during the 2019-20 fiscal year. Appeals were heard and decisions rendered within the required periods.

**Opportunities and Challenges Ahead****Opportunities**

1. To support the accessibility needs of Newfoundlanders and Labradorians.
2. To maintain and enhance communication with Newfoundlanders and Labradorians with building accessibility needs.

**Challenges**

1. To ensure building accessibility legislation, regulations, and practices meet the needs of a diverse community.

