



Property Tax Inequities in British Columbia

SMEs Pay More than Their Share

Jeff Nugent, Policy Analyst

One of the oldest forms of taxation, and main source of revenue for BC municipalities, property tax is also the cause of much discontent. One serious cause of this discontent for small business owners is the inequity between residential and business tax rates – it is not unusual for businesses to pay more than three times the residential rate. In addition, unlike income taxes, payroll taxes, and sales taxes, property taxes do not rise and fall with fluctuations in income and consumption. Given this, it is not surprising that small business owners rank property taxes as the most harmful tax/charge they face (figure 1). This report explains how the property tax system works in BC, examines the inequities between residential and business rates in municipalities across the province, and explains why higher relative rates for businesses are unjustified.

Municipal tax – this is the most significant component of the property tax and is set by municipalities based on revenue needs. Revenue from municipal tax is used to fund services such as local infrastructure, garbage removal, fire and police protection.

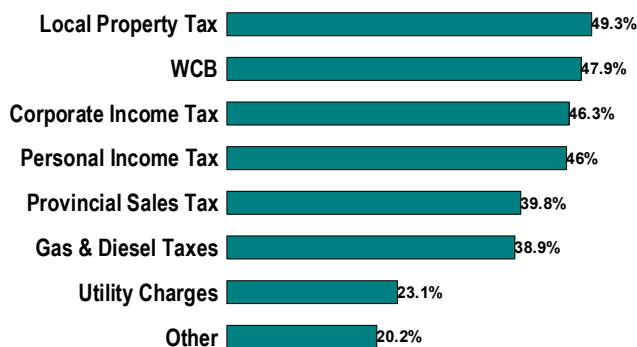
Regional District tax – all municipalities in BC belong to regional districts, which provide certain shared services. These Regional Districts are funded by the Regional District portion of the property tax, which is set by the province based on revenue requirements of the regional districts.

Hospital tax – the hospital tax generates revenue for the health authorities, often shared among a number of municipalities. Hospital tax rates are set by the provincial government to address revenue requirements of the health authorities. In the case of the Greater Vancouver Regional District, hospitals are funded directly by government and not through the property tax system.

School tax – the school tax is set by the province. For residential properties, the province sets individual school tax rates by municipality based on the circumstances of the school district. In the case of business properties, one uniform tax rate is set across the province for all business class properties.

Other tax – the “other” component of the property tax is set by the province and generates revenue to fund BC Assessments and the Municipal Financing Authority (MFA). The MFA runs much like a credit union, and provides capital financing, investment, leasing, and financial services to municipalities in BC. The MFA offers financing at low rates by pooling the borrowing needs of municipalities, and maintaining a high credit rating. All municipalities belong to the MFA, except the city of Vancouver, which arranges its own capital financing.

Figure 1
Most Harmful Taxes and Charges



Source: CFIB Focus on British Columbia Survey, September 2003

How do property taxes work in British Columbia?

The term ‘property tax’ is often assumed to refer to the taxes set and collected by local government from property owners. It is true that local governments are responsible for setting the municipal property tax rate, but this is only one component of the total property tax paid by property owners. Property taxes in BC consist of the following components:

Property taxes in British Columbia are levied on the total market value of both residential and non-residential properties as determined by BC Assessments. BC Assessments is the provincial assessment body responsible for determining the market value¹ of properties using standard appraisal methods. While BC's assessment system is centralized, in some jurisdictions, such as Alberta, local governments administer assessments. The advantage of BC's centralized system is greater consistency in assessments and assessment appeals, as well as an arm's length relationship between the assessment authority and local governments.

Not all jurisdictions calculate property taxes on 100 per cent of market value. In some jurisdictions a percentage of market value is used to calculate the amount of property tax to be paid. Since the percentage of market value used for residential and business properties can be different, the true differential between business and residential rates can become obscured. Since all property classes are based on 100 per cent of market value in BC, the effect of different tax rates between the property classes is more visible.

Although 100 per cent market value is used for tax assessment purposes in BC, there are a number of property classes, each with their own rate of taxation. In BC the property classes include: residential, utility, forestry, major industry, light industry, business, tree farm, recreation, and farm. The majority of small businesses fall within the 'business' category.

All property owners in the province are required to pay school taxes, whether or not they directly use the school system. Property taxes have historically funded approximately 30 per cent of public education in the province, with the remainder of funding coming from provincial government revenues. While residential properties fund around 12 per cent of public education, non-residential properties contribute 18 per cent through property tax. The province sets the rate of school property tax for residential and non-residential property classes. The school tax rate for

residential properties varies by municipalities while the rate for non-residential properties varies by classification, but is constant province-wide within each non-residential property class. The province determines any year-to-year changes to the school tax rates. Though residential rates vary by municipality, when averaged, businesses in BC pay \$2.00 in school tax for every \$1.00 paid by residential properties.

Research Note: How does one measure a distortion?

The question of what is a property tax distortion is extremely important, particularly in the context of comparing one city with the next and when comparing different classes of properties. One cannot simply compare one city's property tax rate with another's because the underlying average property values may differ substantially between them. For example, a 3 per cent tax rate in a City A with an average property value of \$150,000 yields a typical tax bill of \$4,500 but a 2 per cent tax rate in City B with an average property value of \$250,000 yields an average tax bill of \$5,000. However, one also cannot directly compare the average \$5,000 and \$4,500 tax levels, because they may reflect differing levels of municipal services.

To account for assessment and service differences, CFIB measures tax differentials among property classes internal to each municipality. Municipalities with the greatest differences in tax rates between one class and another are deemed to have the most distorted system because it reveals how much cross-subsidization one type of taxpayer must make to another within that community. Cross subsidization in the tax system can significantly interfere in the economic signals within local economies and lead to a misallocation and inflation of government spending.

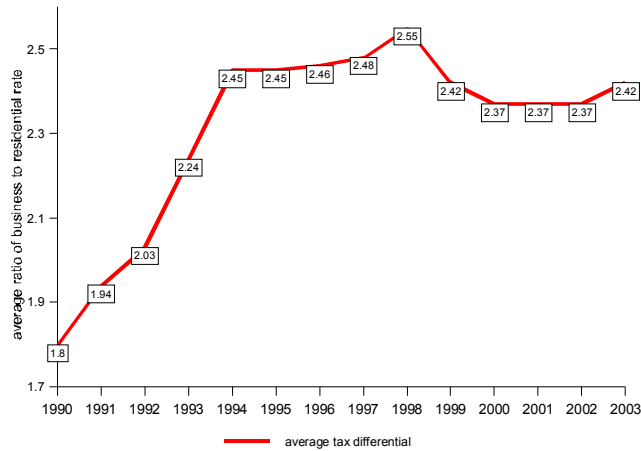
Do businesses in BC pay higher property taxes than residential properties?

In most municipalities there is a significant gap between the business property tax rate and the residential property tax rate, resulting in businesses paying substantially more. This gap has increased over the last 13 years. Figure 2 shows that the average² ratio between business and residential property tax rates has increased from 1.8 in 1990 to 2.42 in 2003. The sharpest rate of increase is observed in the early 1990s, with the gap stabilizing during the past four years. Tax rates for the year 2003 suggest a further broadening of the gap after three years at the same level.

¹ BC Assessments definition of market value: "In general terms, market value is the price expected if a reasonable amount of time is allowed to find a purchaser and if both seller and prospective buyer are fully informed. For assessment purposes in British Columbia, market value is the most probable price that an unencumbered property would sell for on the open market on July 11"

² The averages used in table xxx are not weighted by size of municipality or value of assessment base. The simple average provides a sense of the trend across municipalities to rely on business class properties more heavily than residential.

Figure 2
Growing Inequity: Business vs. Residential Rates in British Columbia 1990 - 2003



Source: BC Government published property tax rates 1990-2003

The gap between the business and residential property tax rates is evident in all components of the tax, not just the municipal tax component. Next to the municipal tax, the school tax is the second major component of the total property tax rate. Since municipalities are only responsible for setting the municipal tax component of the property tax, it is important to note that the province as well as local government shares responsibility for the inequity in tax rates.

The business vs. residential tax gap varies across the province

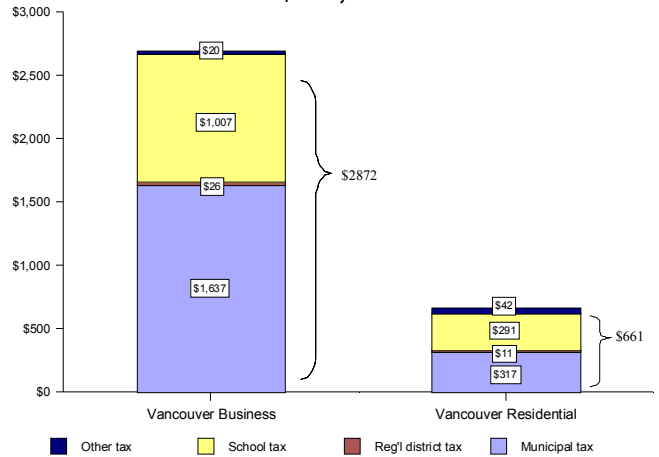
The following comparison of tax rates and differentials across the province are based on 2003 tax rates published by the BC government, and an assessed market value of \$100,000.

Cities

Businesses in the City of Vancouver face the highest gap between residential and business property tax rates out of all cities in BC. Businesses pay 4.34 times more in property taxes than residential properties. In figure 3, a business property in Vancouver pays \$2872.00 for each \$100,000 in assessed value, while a similarly assessed residential property pays only \$661.00. As seen in table 1, the greatest disparity is the municipal tax component of the total property tax at 5.16 times more for business properties than residential properties. Inequity is also present in the other components of the total property

tax set by the province, most significantly, the school tax.

Figure 3
Vancouver: Business vs. Residential Property Tax for each \$100,000 in value



Source: BC Government published property tax rates 2003

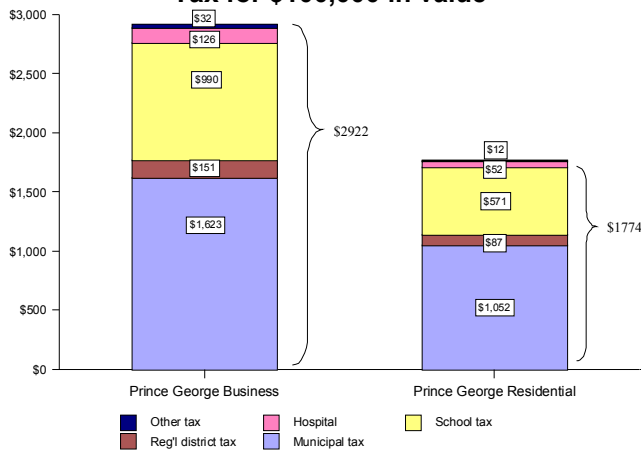
Table 1
Breakdown of property tax on \$100,000 business vs. residential property in Vancouver³

	Business	Residential	Ratio
Municipal	\$1637	\$317	5.16:1
School	\$1007	\$291	3.45:1
Other	\$202	\$42	4.82:1
Reg'l Dist.	\$26	\$11	2.45:1
TOTAL	\$2872	\$661	4.34:1

Businesses in Prince George face the most equitable tax gap in the province in terms of business versus residential property tax rates in BC cities. Business property taxes, as seen in Figure 4 are 1.65 times more than residential rates. Businesses pay \$2922 per \$100,000 in property value, whereas residential properties pay \$1774 on the same value.

³ For similar details for all BC municipalities, see Appendix D

Figure 4
Prince George: Business vs. Residential Property Tax for \$100,000 in value



Source: BC Government published property tax rates 2003

Table 2 ranks British Columbia's fifteen largest cities in terms of the level of equity between business and residential property tax rates. While all demonstrate inequity in the total property tax rates, Prince George is the best and Vancouver the worst in terms of the magnitude of this inequity.

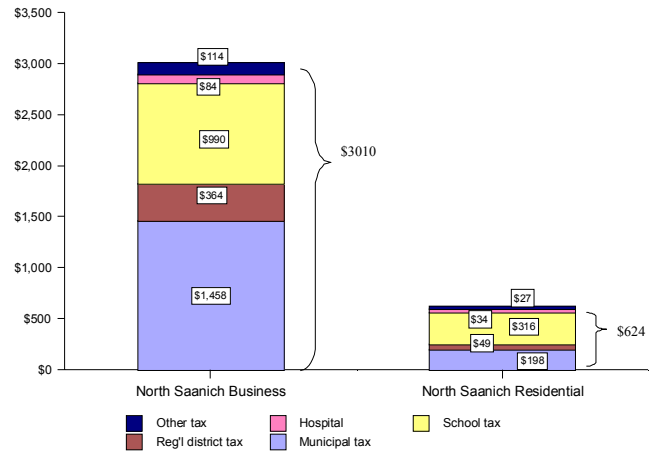
Table 2
BC's 15 Largest Cities:
From Most Equitable to Least Equitable

Ranking	City	Ratio
1	Prince George	1.65
2	Kamloops	2.18
3	Chilliwack	2.25
4	Kelowna	2.26
5	Nanaimo	2.27
6	Abbotsford	2.49
7	Victoria	2.78
8	Surrey	2.94
9	Port Coquitlam	3.10
10	Richmond	3.11
11	New Westminster	3.17
12	North Vancouver	3.35
13	Burnaby	3.49
14	Coquitlam	3.90
15	Vancouver	4.35

Districts, Towns, and Villages

Out of the remaining districts, towns, and villages, the municipality with the highest inequity between business and residential property tax rates is the district of North Saanich.

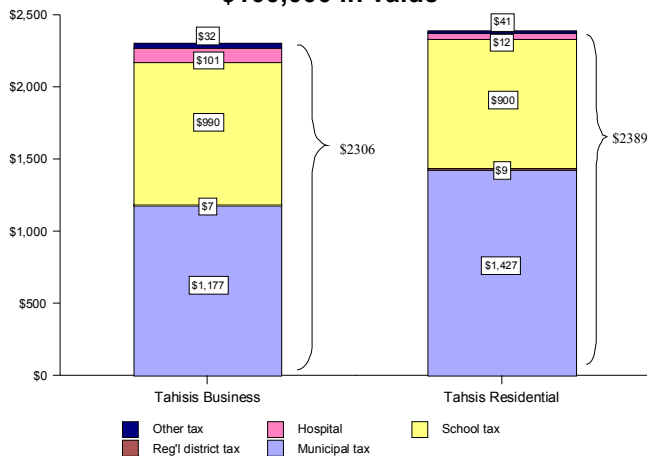
Figure 5
North Saanich: Business vs. Residential Property Tax for \$100,000 in value



Source: BC Government published property tax rates 2003

Figure 5 shows that businesses in the district of North Saanich pay \$4.82 dollars for every \$1.00 in property tax paid by residents. On \$100,000 of value, businesses in North Saanich pay \$3010 in property taxes, while on the same value; a residential property pays only \$624. Again, this disparity is not only apparent in the municipal tax, but also the other components of the total property tax. The village of Tahsis, on Vancouver Island, exhibits the least amount of disparity between business and residential property tax rates in the province, and is the only example of a municipality in BC where businesses actually pay a lower rate of property taxes than residents (Figure 6). In this municipality businesses pay \$0.97 for every \$1.00 in property tax paid by residential properties. Even in Tahsis where businesses pay less than residents, disparity exists in the provincially set school and hospital components of the property tax, where businesses pay more than residents.

Figure 6
Tahsis: Business vs. Residential Property Tax for \$100,000 in value



Source: BC Government published property tax rates 2003

A comprehensive list of municipalities and where they rank in terms of inequity between business and residential property tax rates can be found in Appendix A.

Are municipalities taking steps to reduce inequities in the municipal component of the property tax?

An examination of the inequities in the municipal component of property tax between 2002 and 2003 suggests that more cities have increased the inequity than reduced the inequity (see Appendix B). Table 3 shows that the cities with the greatest increase in the inequity of their municipal tax rate are Coquitlam and Colwood, while the cities of Rossland and Kimberly had the greatest decrease in the gap between residential and business municipal tax rates.

Table 3

Greatest Increases and Decreases in Municipal Tax Rate Inequity Ratio between 2002 and 2003⁴

Greatest Increase in Inequity:	Increase:
Coquitlam	0.48
Colwood	0.44
Greatest Reduction in Inequity:	Reduction:
Rossland	-0.50
Kimberley	-0.39

⁴ The number given represents the difference in the business to residential ratio of the municipal portion of the property tax between 2002 and 2003 rates. For example the business to residential ration for municipal tax in Coquitlam increased from 4.10 in 2002 to 4.58 in 2003 representing a increase in the ratio of 0.48.

In terms of the remaining Districts, Towns, and Villages, the municipality of Whistler had the greatest increase in inequity of the municipal tax rate between 2002 and 2003, whereas the municipality of Princeton had the greatest decrease in inequity (see Appendix C). Again, municipalities are responsible for setting the municipal tax portion of the total property tax rate.

What makes a fair and equitable tax, and why is this important?

For property taxes to be considered fair and equitable there should be a relationship between the amount of tax paid by a business, and the cost of the services received by the business. When this correlation exists, the tax is appropriate based on the benefits received, and accountable as the consumers of the services know their true cost.

When tax rates between business and residential properties are not equitable a cross-subsidization results. This means that if businesses are paying for more than their share of services consumed, they are subsidizing residential property owners. Cross-subsidization is not desirable for a number of reasons. First, access to cross-subsidization removes the incentive for municipalities to ration spending and the quantity of services provided to voting residents. This means there is less accountability built in to the system, as increasing business property tax rates to appease voting residents carries little political consequence for local governments. Not only does this result in an inefficient use of resources, businesses are not able to determine the true cost of the services they consume, resulting in inefficient location choices, which ultimately lead to reduced productivity.

Is there justification for businesses to pay a higher rate of property tax?

Many people do believe there is justification for business properties to pay a higher rate of property tax. The most common justification given is that business properties consume more local services, and accordingly should pay higher taxes. This would make sense if it were true. Another common justification given is that businesses are able to deduct property taxes against income, whereas residential property owners are not. The least compelling justification is that businesses are simply better able to absorb high property taxes than residents. Let's take a look at these three 'justifications' for the inequity in

BC's property tax system and see why they are in fact misconceptions.

Misconception 1: Business properties consume more public services than residential properties, and therefore should be taxed at a higher rate.

Although it is sometimes argued that business properties consume more services than residential properties, a number of studies have proven that the opposite is true. In a study conducted by KPMG for the City of Vancouver⁵, it was concluded that for every \$1.00 of services consumed, non-residential properties paid \$2.07. Residential properties on the other hand paid \$0.56 for every \$1.00 of services received from the city. Or, in other terms, non-residential properties pay 60 per cent of taxes, while consuming 29 per cent of services, whereas residential properties contribute 40 per cent of taxes, while consuming 70 per cent of services. It is interesting to note, that while it is often the perception that non-residential properties place a higher demand on police and fire services, the KPMG study did not find this to be the case in the city of Vancouver. In fact, according to this study, non-residential properties only consumed 31 per cent of fire service and 35 per cent of police services.

Another study conducted by the School of Policy Studies at Queens University⁶, examined the relationship between non-residential property tax rates and services received from local government in eight Ontario municipalities. In this study businesses in six of the eight municipalities paid more in taxes than services received when educational expenditures were excluded. When educational taxes and expenditures were included, non-residential properties in all eight paid significantly more than the value of services received.

Misconception 2: Business property owners are able to deduct property taxes paid against income, and are therefore justified in paying a higher rate.

This argument presumes that all businesses are able to benefit from tax deductions. Businesses that are struggling, just breaking even, or losing money don't

receive a deductibility "benefit". As noted earlier, property taxes are profit insensitive.

Even if we assume that the ability to deduct property tax expenses gives business properties an advantage (though there are many other reasons why tax deductibility is appropriate), the ability to deduct property tax still does not account for the inequity in the mill rate between residential and business properties. Take for example a business property located in Vancouver. On an assessed market value of \$100,000, this property paid \$2872 in property taxes for 2003. Assuming this business had net income of less than \$225,000 for the year (which many small businesses do), the effective income tax rate on this amount would be 17.62%⁷. The tax deduction on the \$2872 property taxes payable would therefore amount to \$506. If we net this from the property tax payable, we are left with \$2366. A residential property in Vancouver on the other hand, without access to this deduction, pays \$661.00 for every \$100,000 in assessed market value. Even with the tax deduction taken into account, the business property is paying 258%, or 3.58 times more than the residential property, on the same value. Inequity remains in all but one BC municipality when this argument is tested⁸.

Another important consideration is that the whole notion of market values, on which the property tax system is based, already takes into account all the factors that would affect the relative class advantages and disadvantages of property ownership. For example, a business property that allows for deduction of property taxes paid will command a market price higher than a similar property without this feature. In this way, the market value adjusts for any advantages that would otherwise be realized.

Misconception 3: Business property owners are more capable of paying property taxes than residential property owners.

Most small businesses run on a very tight profit margin to begin with. High taxes equal a reduction in retained earnings for businesses. Small businesses use retained earnings to expand their operations and create new jobs. When businesses absorb high rates of taxation, it is at the expense of expanding operations,

⁵ Study of Consumption of Tax-Supported City Services, April 13, 1995, KPMG

⁶ Business Property Taxation – Discussion Papers of the Government and Competitiveness Project, School of Policy Studies, Queens University, 1993: Harry M. Kitchen & Enid Slack

⁷ Tax rate based on BC small business rate of 4.5% added to the federal rate of 12% and the 1.12% federal surtax.

⁸ In the Village of Tahsis, businesses pay a lower rate than residential properties to begin with.

investing in new technology to remain competitive, and creating new jobs in the community. In this sense the price of high property taxes hurts not just businesses, but the entire economy.

It is sometimes argued that businesses are able to pass on the burden of high property taxes to their customers, thereby not bearing the brunt of the tax bill. It is extremely unlikely that a small business could pass on all, or even most, of the burden of additional taxes to their customers as most small businesses operate in fairly competitive environments.

Why do businesses pay higher property taxes than residential properties?

Given that there is no justification for higher mill rates for business properties, what has led to the inequity we currently have in our system? The simple answer is that residents vote, whereas businesses do not. It is true that some business owners may live in the municipality where their business is located, but this is often not the case. Furthermore, even when owners do vote in the same municipality as their business, businesses are by far the minority when compared with the number of residents. From a political perspective pressure is strong to find ways of providing services to residents without passing on the full cost. Municipalities often turn to business property tax rates to absorb increases. Although businesses may have the opportunity to voice their concerns to local governments, their concerns do not carry the same clout as those of residential voters.

Furthermore, because of the misconceptions discussed above, equalizing business class property tax rates is publicly unpopular. Some argue the extreme, but inaccurate view that homeowners would be stuck with huge tax increases if the business rate was equalized.

In reality, a more balanced property tax system would have a far smaller effect on residential tax rates than feared. The first reason is that there are significantly more residential than business properties in the province. Also, reduced exposure to property taxes would have an upward effect on business property values – thereby generating some offsetting increases in the business assessments and taxes. A less punitive approach to business taxation will have a stimulative effect on business investment, leading to more economic activity and jobs.

More importantly, however, a rebalanced property tax system would spur important improvements to the

accountability of local government. Gone would be the opportunity to gold plate local services or spend money on projects of marginal benefit to the community. Taxpayers – voters – would scrutinize the costs and benefits of programs far more carefully. The result will be a government that is more cost-effective and responsive to the real needs of the community.

Conclusion

Without question, businesses pay a higher rate of property taxes than do residents in British Columbia. Furthermore, this differential between the two property classes cannot be justified on any practical grounds – there is no relationship between the rate of taxes paid by business properties, and the services received. The current discrimination of business class properties in the property taxation system is cause for concern. Considering that residential voters determine the quantity and quality of services provided at the local level, and that these services are cross-subsidized by business property taxes, an oversupply of municipal services results⁹. Businesses that pay a disproportionate amount for services received are also less likely to make location decisions based on the true cost of providing services to them. Market distortion, inefficient use of resources and high tax burden resulting from tax inequities are all factors that threaten the health of the economy.

Although the municipal portion of property taxes is the most inequitable between residential and business properties, similar inequity exists in the other components of the property tax. It is not only local governments, but also the provincial government, which is responsible for building these inequities into the tax rates.

While it is true that Canadian municipalities rely very heavily on property taxes as a revenue source, and many mayors are expressing a desire to expand their taxing options, new forms of taxation or revenue sources should not be considered without first addressing the gross inequities that exist in the current property tax system. Experience with the property tax system in the province suggests a systematic and unjustified discrimination against business class properties. This evidence does not bode well for the

⁹ C.D. Howe Institute Commentary: Municipal Finance in a New Fiscal Environment, No. 147, November 2000, Harry Kitchen

ability of municipalities to fairly manage additional forms of taxation.

Recommendations

Just as both the provincial and local governments are responsible for the current inequity in the property tax system in BC, both have a role to play in fixing the problem. This is particularly important given that municipalities are asking the provincial government for additional powers of taxation and new revenue sources. Following are some suggestions for how to rectify the inequities in the current property tax system:

Local Governments:

- ***Municipalities should, on their own, begin to reduce the tax gap through savings generated from cost restraint, increased contracting out, and ensuring public sector wages follow private sector norms.*** CFIB believes that creating a fair taxation regime can be a major element of an economic development strategy at the municipal level. CFIB is committed to tracking the progress of municipalities in reducing the gap between residential and business properties in the municipal portion of the property tax rate.

Provincial Government:

- ***No new forms of local taxation should be considered at this time, or until the inequities in both the provincially and municipally set components of the property tax are corrected.***
- ***Re-examine school tax and other provincially set components of the property tax and restore equity between the residential and business rates.*** Great inequity exists between the rate of school tax and other provincially set components of property tax paid by business and residential properties. The provincial government, who is responsible for setting these rates, should re-examine the distribution of tax burden – in particular, the school tax component of the property tax. CFIB suggests a multi-year plan to create a 1:1 ratio for business and residential components of the property tax, which are set by the province.

- ***Introduce provincial legislation to enforce a range of fairness between residential and business property tax rates.*** Legislation introduced in Ontario by the provincial government dictates a range of fairness for the differential between business and residential property classes. Municipalities who are not within the range of fairness cannot worsen the inequities, but must either maintain or reduce them. Municipalities requiring more revenue are forced to look to residential class property taxes first, unless they are already within the range of fairness. This approach has the advantage of forcing municipalities to weigh spending increases carefully against the prospect of raising residential rates. The disadvantage is that inequities are not eliminated very quickly, and it is possible to simply maintain inequities that already exist. British Columbia is in the enviable position that it can learn from the experience of Ontario in the implementation of a range of fairness style solution to the current inequities in the property tax system.
- ***Institute a mandatory small business threshold of property assessment, which attracts tax at the lower residential rate.*** Another approach to ensure small businesses are not unfairly discriminated against by the tax system is to introduce a business threshold. All businesses below a determined market value threshold would pay the residential rate, with properties exceeding this threshold paying business rates. Every business benefits from this approach. It would also help new businesses graduate from the garage/basement to main street, by ending the tax differential between home-based and regular businesses.