



# **Buildings Accessibility Appeal Tribunal**

**Annual Activity Report  
2018-19**

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**REFERENCE PERIOD**

**This report covers the period April 1, 2018 through March 31, 2019,  
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 2018-19. 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, consisting of several overlapping loops and a long horizontal stroke extending to the right.

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 2018-19 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.

## 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**.

**Objective:** By March 31, 2019, the Buildings Accessibility Appeal Tribunal will have processed all appeals it has received in accordance with the requirements of the **Buildings Accessibility 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 one appeal during the 2018-19 fiscal year. The appeal hearing was held on March 29, 2019 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 2018-19. This will be reflected in the 2019-20 Annual Report.

Five new appointments were made in March 2019 through the Independent Appointments Commission process.

The tribunal will report on the same objective and indicators in 2019-20.