

LEGAL CHALLENGE OF CRAZY RM 220 TAX INCREASE

On September 16th The RM 220 Ratepayers' Association (RPA) distributed the press release, [Quash the Crazy Tax Increase or We'll See You In Court!](#)

This tax bylaw which was hastily done without consideration of all options increases the 2017 tax levy by 176% in 2018, places the tax burden primarily on one group of ratepayers and is contrary to the public interest. The significant increase in taxes is resulting in a heavy financial burden on some ratepayers while at the same time destroying the value of their properties.

Please find below responses to frequently asked questions on the legal challenge. These answers have been reviewed by MLT Aikins legal counsel and the volunteers organizing the legal challenge.



1 Why is RPA involved?

Initially RPA was not involved in the legal action. But as the research for the case progressed the RPA has become a key part of the organization of the challenge by providing RPA documents and helping to inform and instruct MLT Aikins on the history with this RM Council. A meeting between Devon Hack, together with the RPA and MLT Aikins was held in Regina on September 12th to discuss particulars of the case (e.g., strategies for action and costs).

2 Why hasn't the MLT Aikins lawyer contacted me directly?

A case such as this, which will have 10s if not 100s of clients, needs a representative client. Devon Hack and RPA are now that client. The lead lawyer on this case with MLT Aikins is Deron Kuski. His keeping everyone on the client list personally informed would not be an efficient use of legal time and would result in higher costs for all clients. For the time being, information on this legal action is being distributed via the initial volunteer organizer, Devon Hack's contact list, the RPA contact list and RPA website and Facebook page. Eventually the contact list will be narrowed to those ratepayers directly involve and contributing to the legal challenge.

3 What is the legal strategy?

The primary legal strategy is to try to force cooperative change with the Council and if not then seek assistance from the Government and/or the Courts. Details can be shared with anybody who is interested in the technical foundation for the challenge. A tentative longer-term strategy has been developed with the first step being the [demand letter to RM Council on September 13th](#) (posted on the [RPA 220 website](#)) asking them to quash the tax bylaws. How the case progresses is dependent on how RM Council responds to the demand letter, the outcome of the Inspector's report submitted to the Municipal Government on September 15th and other factors.

**Funds will need to be collected before any further legal actions take place.
Please consider joining this legal action for reasonable RM taxes before September 30th.**

FREQUENTLY ASKED QUESTIONS—CONTINUED

4 Why \$250? I'm on a fixed income and can't afford the tax increase and \$250. What should I do?

This is an amount that should cover legal expenses if many taxpayers participate. Considering we are attempting to bring down the tax increases, including the \$850 base tax on all resident improvements, if this were to happen it would be a savings to ratepayers. If the amount seems high, it is because we would prefer not to ask you for more later. That, however, is possible depending on how much resistance RM Council chooses to offer.

We recognize that this amount will be a hardship for some. If you would like to participate but can't afford this amount, please contact us. If the situation is resolved before all the money is used, prorated refunds will be made to all who participate.

5 Should I pay my taxes by September 30th? A 4% discount is better than nothing.

MLT Aikins recommends that taxes should not be paid until we know what direction the challenge is taking. The legal firm would like clients to withhold RM taxes until December 31st, 2018 (the actual due date) as a minimum. Joining this legal challenge will provide some protection for contributors (clients) from the RM putting property liens against their properties for unpaid taxes entering 2019. It may help you to make up your mind if you ask yourself: *Do I want to give more money to the people who took so little care with what I've already given them?*

6 I have a monthly mortgage on my property with taxes included in that payment. What should I do if I don't want to pay the tax increase?

Discuss this matter with your mortgagee and pay no more than the amount that was paid for 2017 right now if possible.

7 How long will this legal action take? What is the process involved?

This could take weeks or months, there are too many unknowns and variables to answer this easily in this format. The best we can do is to keep participants informed. If RM Council is unreasonable, then moving the legal action forward will be necessary. Withholding 2018 taxes will also put pressure on RM Council while they are trying to keep the financial house in order after creating the tax mess the RM is in.

8 How do I pay the \$250?

Any questions regarding payment should be directed to Devon Hack at Devon@thehacks.ca

Please provide a copy (email or paper copy) of both your 2017 and 2018 tax notices for the legal case.

Payments can be e-transferred to rm220rpa@gmail.com or through the [Go Fund Me](#) page.

Cheques can be made out to **RM 220 RPA**. In memo line please write: **RM TAX FIGHT** and mail to

RM 220 RPA, P.O. Box 30065. Regina, SK S4N 4N0

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The Rural Municipality of McKillop No. 220 lies along the east shore of Last Mountain Lake, north of Lumsden. There are 732 permanent residents and approximately 2,000 ratepayers in the RM. The RM 220 RPA is a citizen's group dedicated to ensuring fair taxes, minimizing waste, reducing spending, and holding RM Council accountable.

If you have any questions or can help please contact us at rm220rpa@gmail.com, www.rpa220.ca or visit us on Facebook