

PARISH REVIEW COMMITTEES

Parish Review Committees are established in each Parish to deal with applications for relief. The Parish Review Committee will then make recommendations to the Minister of Finance and Planning. You will need to provide the following information:

- Property valuation
- Property valuation number
- Address of the parcel of land
- Evidence of inability to meet the tax liability
- Any other relevant information
- Any form of Identification

EXEMPTIONS

Under the Property Tax Act, Section 10, the following categories are granted exemption from the payment of property tax:

- Churches, burial ground and rectories
- Educational institutions
- Government-owned lands by Local Authorities
- Lands owned by the Council of Legal Education
- Hospitals

LAWS RELATING TO PROPERTY TAX

- The Property Tax Act...
- Land Taxation (Relief) Act...
- The Land Valuation Act...

ENFORCEMENT OF THE LAW

Legal Action that may be taken against you for non-payment

There are currently a number of legislations which can be used to enforce compliance as it pertains to Property taxes. The primary ones are the Tax Collections Act; Quit Rents Act and the Property Tax Act. Presented in the following paragraphs are the relevant sections of the respective acts which will be used to address delinquent property tax owners or occupiers.

- 1** The Collector of taxes may file a suit in the Revenue or the Resident Magistrate's Court to recover property tax, penalty and interest on the amount owed and the costs of the court action. (Section 7 (4) Property Tax Act);
- 2** Collector of Taxes may seize (distrain) the goods and chattel or the personal property of person or persons liable for property taxes. (Section 8, Property Tax Act)
- 3** Once an assessment has been made, the Tax Collector may also appoint a bailiff to seize the goods and chattels of the persons liable to pay the tax as well as any goods found on the land or premises for which property taxes are owed. (Section 28, Tax Collection Act).
- 4** Money bonds, bills, notes or other securities for money may also be seized and then sold or disposed of. Note that the **tax collector** is empowered under the Tax Collection Act to assign and endorse security for money (Section 30 Tax Collection Act)
- 5** The Attorney General may be instructed to pursue forfeiture proceedings where quit rents (property taxes) are in arrears and have not been paid for a period of five years. (Section 14, Property Tax Act, Section 6, Quit Rents Act)
- 6** Property taxes can also be recovered and enforced against the occupier or tenant of the land as well as the owner or any other person interested in the land. In the case of the tenant, he or she may deduct the sum from the rent (Sections 37 and 26 Tax Collection Act).
- 7** A caveat, which is a form of injunction that is provided for under the Registration of Titles Act may be **may be** lodged on the Certificate of Title. (Section 139, Registration of Titles Act) The effectiveness of this measure is that it prevents any dealings with the Title. For example, a transfer or mortgage will not be registered if there is a Caveat on the Title.
- 8** The Collector of Taxes or their Assistants will notify the Accountant General of the name of every person in arrears for taxes (which include property tax) who **receive** a salary from the Government, or **receive** moneys from the public purse. The Accountant General is to retain the amount for the taxes and any surcharge on the amount. (Section 12, Tax Collection Act).



CONTACTS

• All matters relating to the Valuation of Land should be directed to:

The Commissioner of Land Valuations
National Land Agency
Land Valuation Division
8 Ardenne Road, Kingston 10
Tel: 978-2181-7

• All matters concerning Property Tax Policy and Administration should be addressed to:

The Financial Secretary
Ministry of Finance and Planning
30 National Heroes Circle, Kingston 4
Tel: 922-8600-9

The Permanent Secretary
The Ministry of Local Government and Community Development
85 Hagley Park Road, Kingston 10
Tel: 754-0992-9

• All matters relating to Property Tax Payments should be directed to:

The Commissioner General
Tax Administration of Jamaica
Head Office
4th Floor, PCJ Building, **Kingston 10**
Tel: 922-8753

• All matters relating to the Special Discretionary Relief should be directed to your Parish Review Committee at your Parish Council which comprises representatives of the :

- Parish Development Committee
- Local Authority
- Inland Revenue Department
- Civil Society
- Private Sector



Ministry of Local Government
& Community Development

FACT SHEET ON PROPERTY TAXES

It's your obligation to Pay!



LAND VALUATION

- All lands in Jamaica are valued for the assessment of the Property Tax.
- Under the Land Valuation Act, new valuations should be conducted every five years by the National Land Agency.
- Land valuation is conducted by professional valuation surveyors from the National Land Agency and private sector.

BASIS OF VALUATION

- Valuation in Jamaica is based on the unimproved value of the land, as set out in the Land Valuation Act. Under this system, the valuator takes into consideration the market value of the land, that is, the price which the owner would expect to receive, if he were selling the land alone and disregarding the value of any improvements, such as building and crops.
- There are several factors which determine the value of land. These include:
 - Size of the parcel of land
 - Zoning, that is, location and use
 - Its potential for development
 - Type of land
 - Topography
 - Soil Classification
 - Access to Municipal and Commercial Services
 - Neighbourhood characteristics

THE 2013 VALUATION

- The 2002 valuation was the first valuation to be undertaken in Jamaica in ten years. The **last** valuation was done in 1992. Another valuation has just been completed in 2013
- Approximately 750,000 properties are now listed on the National Valuation Roll. **Not including** Government properties, churches and other properties under exemptions.

OBJECTIONS TO LAND VALUATION

Landowners who are dissatisfied with the assessed value of their property may serve a notice of Objection on the prescribed form from the Commissioner of Land Valuations within 60 days after receiving the Notice of Valuation. Objections may be made for the following reasons:

- that the value assessed is too high
 - that lands which should be included in one valuation have been valued separately
 - that lands which should have been valued separately have been included in one valuation
 - that the person(s) named in the Notice is/are not the owner(s) of the land
- **Notice of Objection forms** are available at Tax offices islandwide.
 - Persons who are objecting to the property value, as assessed, may also fill in a Declaration of Value Form, indicating the amount which they believe is the more accurate value of the land. The landowner must pay 75% of the tax liability, while the objection is being considered.
 - All matters relating to the valuation of the land should be addressed to: The Commissioner of Land Valuations, National Land Agency, Land Valuation Division, 8 Ardenne Road, Kingston 10. Telephone: 978-2181-7

KEEPING YOUR RECORDS UP-TO-DATE

Landowners are required to provide the following information to the Commissioner of Land Valuations to ensure that the tax roll is up-to-date:

- Valuation number of the property
- Property address
- Name of owner
- Change of marital status
- Mailing address of owner
- Name and mailing address of the person in possession
- Title reference number

"Change of Possession" form (TR1) and "Change of Address" cards are available at Tax Offices, Post Offices and Local Authorities islandwide. In the case of changes in ownership and where persons have acquired or sold land, both parties to the transaction should advise the Commissioner of Land Valuations. Each party must complete the necessary transfer forms. Transfers can only be completed when each party separately advises the Commissioner.

COMMUNITY SERVICES FINANCED BY PROPERTY TAX

Property taxes are used to finance property-related services in communities throughout Jamaica

Your property tax pays for:

- Expansion and maintenance of street lighting
 - Collection and disposal of garbage
 - Community infrastructure and civic improvements
 - Rehabilitation of parochial/ farm roads
 - Provision of Minor Water Supply
- Under the programme of Local Government Reform, taxes collected for properties in each parish will remain in the parish and will be used by the Local Authorities/ Parish Councils to pay for property-related services.

PROPERTY TAX REMAINS IN YOUR PARISH

- Under the new property tax system, the tax burden is more fairly shared among property owners
- Property taxes are collected in each parish by **the Tax Administration of Jamaica** on behalf of the Parish Council and the KSAC. Property owners can pay property taxes at any **of the 28 tax offices**. These funds will be credited, by next day, to the Parish in which the property is located.



PROPERTY TAX RELIEF AND EXEMPTIONS

Under the Property Tax Act, relief may be granted by the Minister of Finance and Planning to property owners who may face difficulty in paying the new tax obligations. Relief is available, as follows:

- **Derating for agricultural Properties** - Where the land is used primarily for agriculture, property owners may be granted derating of up to 50% of the Property Tax due for a period of up to three years. Application forms for relief are available at Parish Councils, KSAC, and Tax Officers in every parish. The Collector of Taxes will, on request, assist landowners in completing the form.
- **Statutory Relief** - This is granted in individual cases of hardship, in particular, for the aged, the indigent, widows, widowers, pensioners and persons with fixed incomes, as well as persons with disabilities. Relief may also be granted in cases where the new tax liability far exceeds the previous one and is deemed too high by the owner. In such cases, arrears and the provisional tax must be paid. Application forms for Special Discretionary Relief are available at your Local Authority/ Parish Council.

