



Digital Government and Service NL

# Buildings Accessibility Appeal Tribunal

Annual Activity Report  
2023-2024

For more information:

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#### **REFERENCE PERIOD**

This report covers the period of April 1, 2023 through to March 31, 2024, the fiscal year of the Buildings Accessibility Appeal Tribunal.

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## Chairperson's Message

As Chairperson of the Buildings Accessibility Appeal Tribunal (the Tribunal), I am pleased to submit the Annual Activity Report for 2023-2024. This Report is prepared in compliance with the **Transparency and Accountability Act**, which requires the Tribunal to prepare a yearly report as a Category 3 Government entity. The Tribunal is accountable for the preparation of this Report and for the achievement of its objectives.

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,



**Michael Duffy**

Chairperson

## Overview

The Tribunal is an independent, quasi-judicial body that has the responsibility of hearing and adjudicating appeals 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 is a representative of persons with disabilities.

Members of the Tribunal in 2023-2024 were:

- Michael Duffy, Chairperson
- Debbie Ryan, Vice-Chairperson
- Mary O'Brien
- Kirk Saunders
- George Sweeney

## Vision

The Tribunal works to ensure the fair and equitable application of its mandate as outlined in the Act.

## 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 building 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 only meets when an appeal has been filed. In the 2023-2024 reporting period, no appeals were filed.

## **Highlights and Partnerships**

As no appeals were filed with the Tribunal during the 2023-2024, there are no highlights or partnerships to note.

## **Report on Performance**

This Report outlines the Tribunal's activities from April 1, 2023 to March 31, 2024, including the objectives achieved as outlined in the 2023-2026 Activity Plan.

### **Objective:**

By March 31, 2024, 2025 and 2026, the Buildings Accessibility Appeal Tribunal will have processed all appeals it has received in accordance with the requirements of the Act.

### **Indicators:**

- Pursuant to subsection 23(2) of the Act, the number of appeal hearings commenced not later than 30 days after receipt of written notice of appeal.
- Pursuant to subsection 23(2) of the Act, the number of appeal decisions provided to appellant in writing within 45 days of hearing appeal.

## **Results Achieved:**

- No appeals were filed with the Tribunal during the 2023-24 fiscal year and the Tribunal heard no appeals over the same time period.

## **Opportunities and Challenges**

COVID-19 issues have presented a unique challenge for all sectors of the economy including buildings accessibility. Improvements to buildings, including accessibility improvements, have been delayed or halted. This is expected to remain a challenge for these sectors and may continue to be a challenge for the Tribunal.

There were no appeals heard or filed in the 2023-2024 reporting period and therefore, barring a significant unforeseen anomaly, the Tribunal does not anticipate challenges in fulfilling its mandate in 2024-2025.

### Gender Based Analysis+ (GBA+)

The Tribunal will strive to consider GBA+ factors in carrying out its duties. GBA+ considers a variety of factors and how they interact with one another. These factors include but are not limited to sex, gender, language, race, ethnicity, culture, and disability.

## **Financial Statements**

The Tribunal is not required to submit audited financial statements.



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