



www.valuation-tribunals.gov.uk

A guide to our notices for transitional certification appeals



Please read this information. You may find it helpful. However, if you have any questions or need any help, please contact us. Our address and phone number are shown on our notice.

What are valuation tribunals?

Valuation tribunals deal with appeals about non-domestic rates and council tax. We receive funds from Parliament to run our service.

The tribunals are independent of:

- the Valuation Office Agency (VOA) listing officer who has placed the bandings on the properties, and
- the council, which sends out the council tax bills.

Tribunal members are volunteers who receive training and are experienced in hearing appeals. Usually, three members will hear your appeal, although two members can hear an appeal if everyone agrees. A clerk, who is a paid employee, advises on points of procedure and law.

Valuation tribunals provide a free service and cannot award costs. However, you do have to meet your own costs in going to the tribunal hearing.

In this leaflet, when we refer to **the tribunal** we mean the tribunal members who will hear and decide your appeal.

When we refer to ourselves (**we** and **us**), we mean the tribunal office staff and the clerk who are employed by the Valuation Tribunal Service.



How did you receive my appeal?

By law, the valuation officer (VO) must send us any transitional certificate appeals (see below) that have not been settled. The VO must do this within four weeks of receiving them, even if no discussions have taken place.

The tribunal aims to hear appeals within six months of receiving them. However, many of the appeals that we receive are settled through discussions before the hearing date.

Information on transitional certificates

Transitional certificates are needed because of transitional relief. Transitional relief is a government scheme that tries to reduce the effect of any large increases or falls in rates between rating lists. The scheme works by comparing the rateable value of a property in the current and the previous rating lists. The valuation officer (VO) issues transitional certificates if there have been changes to the property since the previous rating list, or if the rules say that certain changes should be ignored. For example, the VO would issue a transitional certificate if:

- they believe that a property's rateable value on 31 March 2005 or 1 April 2005 was wrong; or
- before 1 April 2005, a property has been split into various parts or it has been created by merging two or more properties.

The **rateable value (RV)** for a property in the **2005 rating list** is based on its **rental value** on **1 April 2003**. This date is known as the **antecedent valuation date (AVD)**.

The AVD for the **2000 rating list** was **1 April 1998**.



When the VO is setting the rateable value, they will look at the rent (if any) paid on your property at the AVD, and compare it to rents on similar properties to set similar levels of value. Although the VO values most properties by looking at rents, they do use other methods to value some properties.

The VO will give you details of your rating assessment, including the measurements and the values they have used. They will also check that all of the details are correct.

Do I still need to pay my rates?

Even though you have made an appeal, you must still make the payments shown on your rates bill.

What happens next?

We will send you a notice of hearing. We will give you at least four weeks' notice of the hearing. You can try to settle your appeal with the VO right up until the date of the hearing. We always encourage people to speak to the VO. If your appeal cannot be settled, we expect you and the VO to have discussed any evidence that each of you will present at the tribunal hearing. To make sure that everyone is aware of all the issues, we may decide to send the VO a copy of any information you send to us. We will also send you copies of any information the VO gives us that may affect your case.

If you cannot come to the tribunal hearing, you can ask the tribunal to hear your case without you being there or contact us and ask for another hearing date. However, we will only give you a new hearing date if you have tried to settle your case with the VO and have a good reason for not being able to make the original date. It may be some time before we can give you a new hearing date.



At least three weeks before the hearing, the VO will tell you about the rents on any properties that they may give to us at the hearing. You will be allowed to look at this evidence before the tribunal hearing. You also have the right to ask the VO to let you look at the evidence of rents they have for four other properties. (If the VO decides to use more than four rents, you can ask for information on the same number of properties that they have used.)

You can see details about similar properties and get information about how properties are valued on the Valuation Office Agency's website at www.voa.gov.uk.

Another website that you may find useful, which aims to give information to small business ratepayers is www.mybusinessrates.gov.uk.

How do I prepare my case for the tribunal hearing?

If you want to come to the tribunal hearing, you need to prepare your case before the hearing date. Please try to provide as much evidence as possible to support your case.

You can bring any type of evidence to the tribunal. We expect you and the VO to have discussed beforehand any evidence that each of you will present at the tribunal hearing.

You will be allowed to:

- give spoken and written evidence;
- present anything that you believe will help your case, such as letters, photographs or plans; and
- bring someone along to speak for you or to appear as a witness.

You may find it useful to prepare a written statement. The VO's evidence can appear fairly formal but we do not expect you to present your evidence in the same way as the VO.



It is useful if you can bring five copies of any documents that you want to present as evidence (a copy for each of the three members, the clerk and the VO). We can share anything else, particularly photographs and large plans.

Do I need to come to the hearing?

It is helpful if you can come to the hearing to answer any questions the tribunal has. However, **if you ask us to**, we can also arrange for the tribunal to deal with your appeal in the following ways.

- **Written representations**

If an appeal is decided only on written statements, this is known as written representations and neither you nor the VO will be there. We ask you and the VO to write to us and explain what the problem is. There is no formal hearing.

However, we can only deal with your appeal in this way if both you and the VO agree to it. If you ask the tribunal to deal with an appeal by written representations and the VO objects to this, we will let you know.

We will let you know the procedure. The tribunal may ask you or the VO for more evidence. The tribunal may decide that it can **only** deal with the case by holding a hearing.

- **Written submission**

If you cannot come to the hearing and you want us to hear the case without you, but you and the VO have not agreed to written representations, you **must** give us written details of any points you want the tribunal to consider. This is known as a written submission. The VO will still come to the tribunal hearing.



If you ask the tribunal to deal with your case by written submission, you will not be able to appeal against the decision to the Lands Tribunal.

We may dismiss your appeal if:

- **you do not come to the hearing or send anyone to represent you; and**
- **you have not asked the tribunal to hear the case without you there.**

Who will be at the hearing?

The members of the valuation tribunal

Usually, three members will hear your appeal, although two members can hear an appeal if everyone at the hearing agrees. One of the members will chair the meeting. Members of the tribunal are local people who are volunteers. Although they do not have to be professionally qualified, they receive training and are experienced in hearing appeals.

The clerk

The clerk is a paid employee who acts as an adviser on points of procedure and law. The clerk does not take any part in making the decision. However, the clerk is responsible for writing up the tribunal's decision.

A representative from the valuation office

You will probably have already met the member of the valuation office staff when you discussed your appeal.

You

You can come to the tribunal hearing or you can choose a representative, for example, a friend or a surveyor, to speak for you. You can also bring someone along as a witness.



Members of the public

The tribunal hearing is open to members of the public. However, usually the only other people who come to a hearing are those who are also waiting for their cases to be heard.

The tribunal can hear your appeal in private if you ask us to, but you must have a good reason for this.

What happens at the tribunal hearing?

The hearing is fairly informal and we will try to put everyone at ease. However, the tribunal will follow a procedure to make sure that both you and the VO can present your cases. The tribunal will decide who to ask to give their case first but if you have any preference, please let us know.

During the hearing:

- the tribunal will ask you and the VO to give your cases;
- you will be able to ask the VO questions;
- the VO will be able to ask you questions; and
- the tribunal can ask you and the VO questions.

Before the tribunal makes its decision, it may ask you if you would like to summarise your case (in other words, go over the main points of your case again).

How long does a hearing normally last?

Hearings usually last between 45 minutes and one hour. However, it depends on how much evidence both sides have to present.



Is there anyone else who can give me any advice?

Most people are able to represent themselves, but professional advice is available from members of:

- the Royal Institution of Chartered Surveyors (www.rics.org.uk);
- the Institute of Revenues, Rating and Valuation (www.irrv.org.uk); and
- the Rating Surveyors' Association (www.ratingsurveyorsassociation.org).

The Royal Institution of Chartered Surveyors (phone 0207 222 7000) will give you the name of your nearest professionally recognised rating surveying firm, who will give you up to 30 minutes of free advice.

When will I receive your decision?

Most tribunals send their decisions by post. By law, we have to give you a written copy of the reasons for the decision. We aim to issue the tribunal's decision within one month of the hearing, as set out in our customer charter.

Can you award costs?

No. Our service is free. You only have to meet your own expenses (and the expenses of anyone representing you) in preparing your case and coming to the hearing.

A solicitor may be able to give you some advice under the 'Community Legal Advice Scheme', whose phone number is 0845 345 4345; their website is www.clsdirect.org.uk.

The tribunal can review its decision in certain cases. You can also appeal to a higher court if you are not happy with the decision. We will send you more details with the notice of decision.



What if I have extra needs?

If you have any extra needs related to your sight, hearing or mobility, please tell us and we will do our very best to help. We will meet the cost of providing a suitable place or any equipment that is necessary to hear your appeal.

If you have problems understanding English, we can provide an interpreter. Please tell us which language you speak. We can also provide someone to help you communicate, for example, a signer. We will pay the costs of providing this help.

Please let us know in good time if you have any extra needs.

Can I complain about your service?

If you have a complaint about the way we have handled your case, you can do the following.

- You should first write to the Regional Manager, at the address that is shown on our notices, so that they can look into the matter. The Regional Manager will send you a copy of our complaints policy.
- At any time, you can ask a Member of Parliament (MP) to take up your complaint, either with the Regional Manager or with the President of the Tribunal. Or you can ask an MP to pass the matter to the Parliamentary and Health Service Ombudsman.

You can only use this process to make a complaint about the way our office is run.

If any of the details in our notices are wrong, please contact us at the address that is shown on our notice.



More information

We produce this leaflet in large print, in Braille and on audio CD.

We can translate this leaflet into Arabic, Bengali, Chinese, Gujarati, Polish, Punjabi, Urdu and Vietnamese.

If you would like a copy of this leaflet in another format or language, please fill in the form at the end of this leaflet.

We also offer guides on non-domestic rating list appeals, council tax valuation appeals and council tax liability appeals. If you would like to receive any of these guides, please contact the tribunal office at the address that is shown on our notice.

We aim to treat everyone fairly. No-one making an appeal should receive less favourable treatment because of their race, colour, nationality, age, religion, ethnic background, sex, sexuality, marital status or disability.

Our records

By law, anyone can visit our offices to look at copies of our agendas and the decisions we have made during the last six years. Our agendas are lists of appeals that have been given a hearing date.

Copies of our agendas and decisions for non-domestic rating list appeals, transitional certification appeals, completion notice appeals, council tax valuation appeals and council tax invalidity appeals are also shown on our website. If you do not want us to put information about your appeal on our website, please contact us. Our address and phone number are shown on our notice.

You will find more information about the Valuation Tribunal Service and copies of our guides on our website at www.valuation-tribunals.gov.uk



How can you contact us?

**The Chief Executive's Office
Valuation Tribunal Service
2nd Floor
Black Lion House
45 Whitechapel Road
London E1 1DU**

Phone: 020 7426 3900

Fax: 020 7247 6598

E-mail: ceo.office@vto.gsx.gov.uk

This guide does not cover every point about valuation tribunals. We and the tribunal do not have to follow everything in this guide, and it is not meant to replace the relevant legislation. The Clerk of the Tribunal will reply to any reasonable request you have for advice on procedure.





Please send me a copy of this leaflet:

- in large print
- in Braille
- on audio CD

Please send me a copy of this leaflet in Arabic.
أرجوك أرسل لي نسخة من هذا الكتيب باللغة العربية

Please send me a copy of this leaflet in Bengali.
অনুগ্রহ করে বাংলায় এই পত্রিকার একটি কপি আমাকে পাঠান।

Please send me a copy of this leaflet in Chinese.
请给我一份中文版的宣传页。

Please send me a copy of this leaflet in Gujarati.
આ ચોપાનિયાની માહિતી પુસ્તિકાની નકલ :

Please send me a copy of this leaflet in Polish.
Proszę o przesłanie mi kopii tej ulotki w języku polskim.

Please send me a copy of this leaflet in Punjabi.
ਕਿਰਪਾ ਕਰਕੇ ਇਸ ਲੀਫਲੈਟ ਦੀ ਇੱਕ ਕਾਪੀ ਮੈਨੂੰ ਪੰਜਾਬੀ ਵਿਚ ਭੇਜੋ।

Please send me a copy of this leaflet in Urdu.
براہ کرم مجھے اردو میں اس کتابچے کی نقل بھیجیں۔

Please send me a copy of this leaflet in Vietnamese.
Vui lòng gửi cho tôi một bản sao của tờ rơi này bằng tiếng Việt

Your name and address

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Valuation Tribunal Service
Freepost RRBG-EZGE-ZYAG
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Black Lion House
45 Whitechapel Road
London
E1 1DU