

Realtax

5-Minute Tax Tutorial

Presented for AMCTO Zone 3

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Today's topic is...

Notices under the

Farm Debt Mediation Act

But first...



About Realtax

We help you recover realty tax arrears

Tax registrations

If necessary, tax sales

We do most of the work for you

We provide you with ongoing advice

When the arrears are recovered, you also recover our fees



Success rate over 97%

When both Realtax and OntarioTaxSales.ca have been utilized

In business since 1996

Most of Ontario's 444 municipalities use Realtax

We don't require a contract—use Realtax whenever you like



Farm Debt Mediation Act (“FDMA”)

You won't find anything about the FDMA in the *Municipal Act*

It's federal legislation

Gives farmers an opportunity to reorganize their finances before anyone can enforce any remedy against their property



NOTICE OF INTENT TO REALIZE ON SECURITY ("Farm Debt Notice")

Section 22—secured creditor must send a farmer notice before enforcing any remedy, etc., including a tax registration

Send by either priority post, courier, registered mail, or personal delivery

Must then wait 22 business days



Stay of Proceedings

Farm Debt Mediation Board may grant a 30-day stay of proceedings

Stay can be extended



But it isn't farmland!

Doesn't have to be a farm that you're taking action against

Definition of farmer is vague

If the property owner has an interest in a farm ***anywhere in Canada*** you must send them a Farm Debt Notice



If you don't send a Farm Debt Notice

Contravention by creditor

22 (1) Subject to subsection (2), any act done by a creditor in contravention of section 12 or 21 **is null and void**, and a farmer affected by such an act may seek appropriate remedies against the creditor in a **court of competent jurisdiction**.

So...send a farm debt notice to the property owner(s) before you begin a tax registration **every time...**

...except

If the owner is a cancelled corporation



Key take-away

Before you register a tax arrears certificate

Send the owners a Farm Debt Notice

For every property—farmland or not!

Then wait at least 22 business days



Thanks for watching!

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