

# NORTHERN IRELAND VALUATION TRIBUNAL (NIVT)

## Nature of the Role – NIVT Valuation Member

The **Northern Ireland Valuation Tribunal (NIVT)** is an independent judicial body established under Schedule 1 of the Rates (Amendment) (NI) Order 2006.

The Valuation Tribunal hears and determines appeals in a number of statutory jurisdictions including against Capital Value assessments for domestic property in Northern Ireland and High Hedges appeals.

The Tribunal normally has one Chairman (legally qualified), one experienced Valuation Member and one Lay Member. All are appointed by the Northern Ireland Judicial Appointments Commission (NIJAC), on a fee paid basis.

In most hearings, the Tribunal will be composed of three members comprising one from each of the three categories. However, in High Hedges appeals the Tribunal comprises the Legal Member and one Valuation Member. The Legal Member always presides over the hearing.

Prior to the hearing (which may be an oral hearing or determined on the papers only), panel members will receive papers relating to the case.

In Capital Value appeals, papers will include an expert report from Land and Property Services, submitted on behalf of the Commissioner of Valuation, and representations from the Appellant or their appointed representative / expert. In High Hedges appeals the Valuation Member attends the subject premises and prepares a report for the Tribunal.

Papers may contain sensitive personal or confidential information. It is the responsibility of the individual panel members to store and keep papers safely and securely and to maintain complete confidentiality relative to any information received by them in connection with any hearing.

Hearings take place in the mornings and afternoons and are normally held in the Tribunal Hearing Centre, Royal Courts of Justice, Belfast. The panel generally meets before the hearing to discuss the case and any issues that require further clarification. The Legal Member will outline legal or procedural matters.

Typically at any oral hearing the panel hears evidence from the expert appearing on behalf of the Commissioner of Valuation followed by the Appellant or their representative.

When all the evidence has been presented the Tribunal shall collectively deliberate on the case. In a typical Capital Value case each member gives their opinion on whether the evidence presented justifies a change in the Capital Value of the property. The determination of the Tribunal is made by unanimous or majority decision.

Hearings are arranged by the Tribunal Secretariat. Panel members are asked on a regular basis, and weeks in advance of hearings, if they are available to sit on particular dates.

They will be told of the venue and time for each hearing and whether it is an oral hearing with the parties present or a hearing based on written representations only. On occasions hearings will be adjourned or cancelled. Unfortunately this can happen very close to the scheduled date of the hearing.

The Valuation Member is actively involved in each stage of the Tribunal hearing from the initial reading of reports to become familiar with the case prior to the hearing, to, in an oral Capital Value appeal hearing, seeking further information or clarification from the expert appearing on behalf of the Commissioner of Valuation. In High Hedges appeals the Tribunal determines the matter based upon the appeal papers and the Valuation Member's report after attendance at the subject premises. The Valuation Member actively participates throughout the decision-making process, including contributing to the written decision which is drafted by the Legal Member.

**Reviewed March 2023**