

Loss on Sale Claim Form

STANDARD ROUTE

Section 1 - Owner and Property Information

Property Address

Street Number and Name			Postal Code	Civic Address (911 Address)
Lot Number	Sub Lot Part	Concession	Municipality	Ward
Building Size (Sq. Ft.)			Lot Size	Tax Assessment Roll Number

Property Owner(s)* – All individuals who have a legal interest in the property

1	Last Name	First Name and Initial	Mailing Address
	Phone (Home)	Phone (Cell)	Email Address
2	Last Name	First Name and Initial	Mailing Address
	Phone (Home)	Phone (Cell)	Email Address
3	Last Name	First Name and Initial	Mailing Address
	Phone (Home)	Phone (Cell)	Email Address

*If more space is required, check this box and include additional information.

**Contact information for all property owners is a requirement of filing the claim.

Authorized Contact – If different from the property owner(s)

4	Last Name	First Name and Initial	Mailing Address
	Phone (Home)	Phone (Cell)	Email Address
	Relationship	Firm	<input type="checkbox"/> Authorization document attached

Section 2 - Eligibility and Administrative Criteria

The following information is to be provided by the property owner(s)

A	Is the property located in the PVP Zone? (See map of PVP Zone in the <i>PVP Program User Guide</i>)	<input type="checkbox"/> Yes <input type="checkbox"/> No
B	Have all legal owners consented to the claim?	<input type="checkbox"/> Yes <input type="checkbox"/> No
C	Was the sale an arm's length transaction? (See definition of "arm's length" in appropriate <i>PVP Program User Guide</i>)	<input type="checkbox"/> Yes <input type="checkbox"/> No
	List issues, if any, related to the perception of the arm's length sale of the property (e.g., sale to a tenant, etc.) _____ _____	
D	The PVP Program was established October 2001, and will remain operational until two years after the long-term waste management facilities reach a state of long-term monitoring and maintenance. In order to be eligible for processing, a claim must be submitted within 120 business days of the closing of the sale. Please provide the following information to confirm that the property was sold during a time that meets these requirements. Date of Agreement of Purchase and Sale (firm sale): _____ Sale Date (closing date): _____	
E	Indicate which Port Hope Area Initiative (PHAI) project had an impact on the property.	<input type="checkbox"/> Port Hope Project <input type="checkbox"/> Port Granby Project
F	Have you submitted a previous PVP Program claim relating to this property?	<input type="checkbox"/> Yes <input type="checkbox"/> No
G	Identify the PHAI project event that caused the diminution in value of your property (for example, the start of the PHAI's Highland Drive area remedial activities). See list of PHAI project events included with this claim form. _____ _____	
H	Have any of the property owner(s) received other financial compensation from any other federal, provincial or municipal program as reimbursement, in whole or in part, for financial loss resulting from the Port Hope Area Initiative? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide the following details: Amount received \$ _____ Date received _____ Name of government program _____ Level of government (federal, provincial, municipal) that provided assistance _____ Has an employer of any of the property owners agreed to "buy out" or "top up" the sale price of this property to a guaranteed amount as part of a relocation package? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please attach a written explanation disclosing the type and amount of assistance provided.	

Please note:

- Your application is considered a PVP claim only if you meet all eligibility criteria.
- If you – the property owner(s) – meet all eligibility criteria established in Section 2, the PVP Program will assess the information you are asked to provide in Section 3. Should the PVP Program determine the documentation you have submitted does not meet the established criteria, you will be asked to provide additional material.
- You will be notified in writing if the PVP Program determines your claim is ineligible.



Section 3 - Standard Route Claim Criteria

Standard Route Criteria

You are required to:

- A. Demonstrate the pre-project unaffected fair market value (UFMV) of the property
- B. Demonstrate diminution of the property value
- C. Demonstrate that the PHAI caused the diminution (causation)
- D. State the amount of compensation you are claiming
- E. Select an option for the timing for processing your claim
- F. Provide the required documents

A	<p>Demonstrate the pre-project unaffected fair market value (UFMV) of the property Establish the unaffected fair market value of your property by providing an appraisal estimating the value of the property, as if unaffected by the PHAI, on the day before the identified PHAI project event.</p> <p><input type="checkbox"/> Appraisal included Appraisal Amount \$ _____</p>
B	<p>Demonstrate diminution of the property value Provide evidence demonstrating the change in market value (diminution) from the day before the PHAI project event described in Section 2.G to the date of firm sale. This change can be established by:</p> <ul style="list-style-type: none"> • Obtaining an appraisal estimating the value of the property on the day before the project event <p>AND</p> <ul style="list-style-type: none"> • For properties in the Municipality of Port Hope: Obtaining a Multiple Regression Analysis (MRA) examining property values prior to the relevant PHAI project event date and at the date of firm sale; • For properties in the Municipality of Clarington: Obtaining a Paired Sales Analysis (PSA) estimating the change in the market between the relevant PHAI project event date and date of firm sale. <p>These analyses must identify and account for all non-PHAI factors in the real estate market that may have had an impact on value (for example, an existing low-level radioactive waste (LLRW facility), presence of LLRW in the community, a uranium processing facility on the waterfront, an active railway through the middle of the community, etc.).</p> <p>To demonstrate diminution, the MRA or PSA must then be compared to the market in a baseline community (or an area with no predicted PHAI project effects) in order to verify that the change in value before and after the PHAI project event was not due to a general change in the real estate market. See <i>Layman's Guide</i> or contact the PVP Program Office at pvpprogram@cnl.ca or 905.885.0291 for more information.</p> <p><input type="checkbox"/> MRA included Difference indicated _____%</p> <p><input type="checkbox"/> PSA included Difference indicated _____%</p>
C	<p>Demonstrate that the PHAI caused the diminution (causation) Provide evidence, obtained from an appraiser or other expert of causation, that the PHAI and no other factor caused the diminution. This evidence should be based on environmental and market evidence (for example, proximity analysis, case studies, etc.) that demonstrates the diminution was caused by the impact of the PHAI and provides an estimate of the PHAI project-related loss.</p> <p><input type="checkbox"/> Causation evidence included</p>



D	Compensation requested (amount of PHAI-related loss)	
	A	Appraised value on the day before the project event
	B	Percentage difference in market change rate for claim property compared to baseline location (accounting for non-project related effects)
	C	Amount of PHAI-related loss*
<p>* Claims filed for amounts more than can be proven by evidence (i.e. certified appraisal, MRA, PSA, etc.) or with evidence that the Claim Examiner believes is not sufficient to prove the claim will be returned to the claimant to be revised. Claims not revised within 30 days will be denied.</p>		
E	Timing for Processing this Claim	
	Process this claim using current PVP Program information	<input type="checkbox"/>
	By choosing this option, I understand that my claim will be processed using the information/evidence currently available and that this information/evidence cannot be challenged as out of date or invalid.	
	Hold this claim in abeyance	<input type="checkbox"/>
By choosing this option, I accept that my claim will be held in abeyance and processed once the PVP Program has obtained an up-to-date analysis encompassing the time period for which my property sold.		
F	Required Documents Submit copies of the following documents with this claim form: <ul style="list-style-type: none"> <input type="checkbox"/> Agreement of Purchase and Sale <input type="checkbox"/> Notarized copy of new Transfer/Deed of Land and associated Land Transfer Tax Affidavit <input type="checkbox"/> All Agreements of Purchase and Sale (including failed or withdrawn sales) <input type="checkbox"/> All applicable Waivers and/or Notice(s) of Fulfillment of Conditions relating to the Agreement(s) <input type="checkbox"/> Confirmation of Cooperation relating to the Agreement(s) <input type="checkbox"/> All MLS listing sheets (showing list price or data changes) from the start of the listing <input type="checkbox"/> Land survey of the property, if it exists <input type="checkbox"/> Radiological Status Letter, Notification Letter or Compliance Letter from the Historic Waste Program Management Office <input type="checkbox"/> Sellers Property Information Statement (compiled by Realtor), if available <input type="checkbox"/> For income-generating buildings (multi-unit), detailed financial statements, including gross income and operating expenses, as well as lease agreements for a minimum one calendar year <input type="checkbox"/> Existing lease or rental agreements of all commercial units within the building (if applicable) <input type="checkbox"/> Articles of incorporation and names of shareholders, if applicable <input type="checkbox"/> Appraisal completed to establish the pre-project event value of the subject property <input type="checkbox"/> Market analysis completed to establish that a project-related diminution in value of the subject property exists <input type="checkbox"/> Any Environmental Report (Phase 1, Phase 2, other) for the property that is in the possession of the claimant <input type="checkbox"/> Other documents as reasonably requested by the PVP Program 	



Acknowledgement and Required Signatures

I am aware that the PVP Program offers two claim routes, the Standard Route and the Simplified Route. I have reviewed and understand the PVP Program Rules. I am selecting the:

Standard Route

Simplified Route – Please complete a [Simplified Route Claim Form](#)

By signing this claim form, all parties certify that the information submitted is true to the best of their knowledge. The parties understand and agree that the claim will be processed in accordance with the requirements of the PVP Program, which include the PVP Program Rules.

In addition, by submitting a claim, all claimants acknowledge the following information may be made publicly available:

- Address of property
- PVP Program compensation amount
- Date compensation awarded

Print Name

Signature

Date

Print Name

Signature

Date

Print Name

Signature

Date

Print Name

Signature

Date

Project Events and Related Dates: Port Granby Project

“Project Event” and the date of the Project Event for the Port Granby Project mean the following events and dates:

Project Event	Date
(a) Canada’s signature of the Principles of Understanding	October 5, 2000
(b) Canada’s signature of the Legal Agreement	March 29, 2001
(c) Release of the <i>Screening Report – The Port Granby Long-Term Low-Level Radioactive Waste Management Project</i> , which is the earliest relevant environmental determination or regulatory approval for the Port Granby Long Term Waste Management Facility	August 16, 2009
(d) The announcement of the making of an application to the Canadian Nuclear Safety Commission for a licence for the Port Granby Long Term Waste Management Facility	June 26, 2011
(e) The commencement of construction of the Port Granby Long Term Waste Management Facility	May 24, 2012
(f) The commencement of waste movement to the Port Granby Long Term Waste Management Facility	November 1, 2016
(g) The performance of a specific obligation by Canada under the Legal Agreement related to the Port Granby Project.	The day before the commencement of that particular Project Event; which dates will be published by CNL on the Claim Form as they occur.



Project Events and Related Dates: Port Hope Project

“Project Event” and the date of the Project Event for the Port Hope Project mean the following events and dates:

Project Event	Date
(a) Canada’s signature of the Principles of Understanding	October 5, 2000
(b) Canada’s signature of the Legal Agreement	March 29, 2001
(c) The announcement of the making of an application to the Canadian Nuclear Safety Commission for a licence for the Port Hope Long Term Waste Management Facility	November 30, 2004
(d) Release of the <i>Screening Report – The Port Hope Long-Term Low-Level Radioactive Waste Management Project</i> , which is the earliest relevant environmental determination or regulatory approval for the Port Hope Long Term Waste Management Facility	March 14, 2007
(e) The commencement of construction of the Port Hope Long Term Waste Management Facility	November 30, 2012
(f) The commencement of the cleanup, consolidation and site stabilization work for the Major sites and industrial sites as identified in the Legal Agreement : (i) Port Hope Harbour (ii) Alexander Street Ravine (iii) Highland Drive Landfill (iv) Highland Drive South Ravine (v) Pine Street Extension Consolidation Site (vi) Pine Street Extension Temporary Storage Site (vii) Highland Drive Roadbed (viii) Mill Street South (ix) Pine Street North Extension Roadbed (x) Strachan Street Consolidation Site (xi) CN/CP Viaducts Site (xii) Sewage Treatment Plant Temporary Storage Site (xiii) Lion’s Recreation Centre Park (xiv) West Beach/ Former Waterworks (xv) Centre Pier (xvi) Chemtron Lagoon (xvii) Sewage Treatment Plant Bunker (xviii) Former Coal Gasification plant site (xix) Caroline Street Park (xx) Former St. Mary’s School (xxi) Peter Street Mound	The day before the commencement of that particular Project Event; which dates will be published by CNL on the Claim Form as they occur. List may be updated by CNL as required.
(g) Written notification by the PHAI that the Property that is the subject of a Claim contains low level radioactive waste, that it will be remediated by the PHAI at a date that is more than 120 business days from the date of the written notification, provided that the Claimant had not previously received information, or there was information available to the Claimant that, the property contained LLRW.	Day before the receipt of the notification letter.
(h) The performance of a specific obligation by Canada under the Legal Agreement related to the Port Hope Project.	The day before the commencement of that particular Project Event; which dates will be published by CNL on the Claim Form as they occur.

