



Property Value Protection Program

Overview: Renewed Property Value Protection (PVP) Program



What is the renewed Property Value Protection Program?

The PVP Program is an integral part of the Legal Agreement between the municipalities of Port Hope and Clarington and the federal government for the cleanup and safe, long-term management of historic low-level radioactive waste in Port Hope and Port Granby.

The program is offered as part of the Port Hope Area Initiative (PHAI) and is designed to compensate property owners who experience any of the following three types of financial loss as a result of the PHAI:

1. **Loss on the sale of property**
2. **Loss of rental income**
3. **Mortgage renewal difficulty**

The PVP Program has been in effect since the start of the PHAI in 2001. Effective June 1, 2016, changes to the program take effect – the renewed PVP Program – which are important for claimants to understand. The renewed PVP Program offers a simpler and more straightforward claim process for the most claimants.

What are the requirements to receive PVP compensation?

A property owner must submit a claim that:

1. Meets PVP eligibility criteria
2. Meets PVP administrative requirements
3. Includes evidence that proves the claim

To understand each of these requirements, please refer to the *PVP Program Rules* or *Layman's Guide*.

What are my options for filing a claim?

The renewed PVP Program provides two claim options – a **Simplified Route** and a **Standard Route**.

The **Simplified Route** is available to owners of properties in areas where the potential for project impacts, such as construction noise, have been identified. Geographic areas, called PVP Compensation Frameworks, are published showing the corresponding maximum percentage of the sale price an owner could receive, provided a loss occurred. Percentages are tied to predicted or actual nuisance impacts. This route offers a quick and low-cost option for filing a claim and provides claimants with increased certainty about the amount of compensation they can expect to receive.

To file a claim under the Simplified Route, a claimant must prove a loss by establishing:

1. Fair market value of the property at time of sale (for Loss on Sale claims)
2. Fair market rent of the property at the time of lease (for Loss of Rental Income claims)

Fair market value is established through an independent, certified appraisal. Under the Simplified Route, property owners may contract their own appraiser and will be reimbursed for a portion of the cost or have the PHAI Management Office contract the appraisal at its own expense.

The **Standard Route** is available to all owners of properties in the designated PVP Zone (the zone map is published in the *PVP Program Rules*, *Layman's Guide* and on www.phai.ca), including sellers who feel they have evidence to prove the loss they suffered is greater than the compensation offered under the Simplified Route. This route takes more time, cost and effort than the Simplified Route because the full burden of proof to show that a project-related loss occurred is placed on the claimant.



To file a claim under the Standard Route, a claimant must establish:

1. Fair market value/rent of the property on the day preceding an identified PHAI project event
2. Loss of value at the time of sale (based on evidence meeting PVP Program requirements)
3. Cause and amount of loss

How do I submit a claim for compensation?

In order to file a claim, you must fill out a claim form and submit it with all required documentation to the Project Information Exchange located at 25 Henderson Street, Port Hope. All PVP information, including claim forms, PVP Program Rules and user guides, is available either at www.phai.ca or from the Project Information Exchange. PVP Program staff is available Monday through Friday in person, by telephone (905.885.0291) or email (pvpprogram@cnl.ca), to explain the program and provide assistance.

Please note: Claims for Loss on Sale must be filed within 120 business days of the closing date of the sale while claims for Loss on Rental Income and Mortgage Renewal Difficulties must be filed within 40 business days of the date the annual loss occurred.

What happens after I submit a claim?

If your claim meets all of the requirements referenced above, the PVP Program will analyze your claim. If your claim is approved, you will be offered compensation. If your claim is denied, you will be provided with a written explanation and the option of proceeding to the Claim Decision Review Process.

Claim Decision Review

Claimants may request that their claim decision be reviewed if they have reasonable grounds to believe the PVP Program erred in its decision. Different claim review processes are available depending on the type of claim filed (Standard or Simplified Route).

For claims filed under the Simplified Route, claimants may request that the claim decision be reconsidered by the PVP Program office if they feel there is an error in the decision. For claims filed under the Standard Route, independent mediation and/or arbitration are available. Requests for a Claim Decision Review must be filed within 20 business days of the date the claim decision was sent. There is no charge to have a Simplified Route claim decision reconsidered or a Standard Route claim sent to mediation, however, a fee of \$2,000 is required to file for arbitration. This fee is fully refundable if the arbitrator determines the request has merit.

Additional Publicly Available Documents

The following documents are available at the PHAI Project Information Exchange and at www.phai.ca:

- PVP Program Rules
- PVP Program Layman's Guide
- Claim forms
- User Guides
- PVP Compensation Frameworks for the Simplified Route

For more information visit the PHAI Project Information Exchange, 25 Henderson Street, Port Hope, ON L1A 0C6 or www.phai.ca, call 905.885.0291, fax 905.885.9344, or email pvpprogram@cnl.ca

