

Valuation Objection Information Sheet

Rating Authority valuations are based on sale prices and rental returns of similar properties. To successfully argue that a valuation is too high, you will need to demonstrate by sales and rents of comparable properties, that the valuation should be lower.

Property sales information may be purchased from the Department of Sustainability and Environment Landata Customer Service office by calling (03) 8636 2456. Alternatively, you may collect sales information from auction results published in the press or from local real estate agents.

The Valuation of Land Act (VLA) 1960 covers the objection and appeals processes available to people who are aggrieved by their rating authority valuation. The Act and its associated regulations prescribe the following objection processes.

Who may object (Section 16 VLA)

If you disagree with the assessed value made by your municipal council and you are liable for the payment of rates as the owner or occupier, then you may lodge a written objection with your Council on the prescribed form.

When can I lodge an Objection (Section 18 VLA)

You have two (2) months from when Council issued their Annual Rate and Valuation notice to lodge an objection with Council.

Lodging the Objection (Section 16 VLA)

The objection **must** be in writing and;

- Contain the prescribed information (Form 4 of the VLA Regulations);
- Be directed to the Rating Authority;
- Provide details as to the assessment of value being objected to – Eg: Site Value, Capital Improved Value and/or Net Annual Value; and
- Detail the grounds on which the objection is being made.

The prescribed form for the lodgement of objections which ensures compliance with the above requirements is available from Council.

The grounds for Objection (Section 17 VLA)

The grounds for objection are:

- The value is too high or low;
- The values or interests are not apportioned correctly;
- The lands have not been combined or separated correctly;
- The person named on the notice is not liable; or
- The area, dimensions or description are incorrect.

Dealing with the Objection (Section 21 VLA)

When an objection is lodged with Council, it is referred to the valuer for review and consideration. The valuer then must provide a reasonable opportunity for the objector to discuss the matter.

Within four (4) months after receiving the objection notice, the valuer has the option to:

- (a) Disagree with the objection, whereby no adjustment to the valuation is considered justified and a written notice of disallowance is provided to the objector; or
- (b) Agree that an adjustment to the valuations is justified and provide a notice recommending an appropriate adjustment to the objection, the Council and the Valuer-General Victoria (VGV).

Following option (a) (disallowance), the objector and the Rating Authority are notified directly. No action from VGV is required.

Following option (b) (an adjustment is recommended), the objector, the Rating Authority and the VGV are advised of the recommended adjustment by the valuer. The VGV has two (2) months to either agree or disagree with the recommended adjustment.

If the VGV agrees that the adjustment is justified, a confirmation notice is sent to the rating authority, objector and the valuer; or

If the VGV disagrees with the adjustment made a notice of disallowance is sent to all parties.

Valuation appeal process

Where an objector has not had resolution via the issue of a Notice of Disallowance or Recommendation within four months, they must deem their objection to be declined. The objector will then have the right to make an application for review to the Victorian Civil and Administrative Tribunal (VCAT) within a five month period.

If an objector is dissatisfied with the objection outcome after being issued with either a Notice of Disallowance or Recommendation Notice, they have 30 days from being served the document to escalate their complaint to the Victorian Civil and Administrative Tribunal (VCAT).

Payment of Rates

The lodgement of a Valuation Objection or an appeal does not prevent the recovery of any rate or charge or the charging of interest. All rates must still be paid in accordance with the legislative payment dates noted on your Rate and Valuation Notice.