

RESUME

John Savage

BUSINESS ADDRESS

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PROFESSIONAL & ASSOCIATED EXPERIENCE

Lawyer (called, July 1978) 1978-present

Counsel, *Assessment Act*, 1980-present

Since approximately 1980 Mr. Savage has acted as counsel throughout British Columbia in real property assessment appeals. Real property assessment requires the valuation of property at fair market value and the testing of those valuations through an appeal process including the Property Assessment Review Panel, the Property Assessment Appeal Board, and the BC Supreme Court and Court of Appeal.

In the capacity as counsel Mr. Savage have been involved in appeals concerning the valuation of land and improved properties using a variety of valuation techniques, including the capitalized income approach, direct sales comparison approach, discounted cash flow approach and cost approach.

Recent decisions of the Property Assessment Appeal Board are reported at <http://www.assessmentappeal.bc.ca/>.

Counsel, Administrative Tribunals

Mr. Savage has appeared as counsel before a variety of disciplinary bodies responsible for administering professional standards to their membership including the RNABC, and the Appraisal Institute of Canada. Mr. Savage has appeared as counsel before a variety of Tribunals dealing with work place issues

including the Workers Compensation Board, the Labour Relations Board, and the Human Rights Board.

Counsel & Arbitral experience, *Commercial Arbitration Act*

Acted as counsel and as an arbitrator on a variety of commercial arbitrations conducted under the *Commercial Arbitration Act*, including, (1) as an arbitrator to determine the value of partial interests in land (a limited term tenure under the *Forest Act*), (2) as an arbitrator to determine the appropriate bare land rent for commercial property in the lower mainland, (3) as counsel to determine the respective financial obligations of various leaseholders, pursuant to the terms of a commercial lease, etc., (4) arbitrator to determine the financial obligations of land and tenant pursuant to the terms of a commercial lease.

Counsel, *Judicial Review Procedure Act*, petitions & hearings

Acted as counsel in a wide variety of judicial review proceedings including reviewing the jurisdiction of provincial tribunals and officers, reviewing issues involving the application of the rules of natural justice in conducting hearings, reviewing procedural issues such as the ability to conduct in camera hearings, appropriate appeal management procedures, acting in excess of statutory jurisdiction, etc.

Adjudicator, *Canada Labour Code*, unjust dismissal, 1997- present

Appointed as an *ad hoc* adjudicator and referee under the *Canada Labour Code* to hear and determine complaints of unjust dismissal in the trucking, cable, and airline industries, and employment with first nations.

Employment Standards Tribunal, Member, 2004-present

Mr. Savage sits as a member of the Employment Standards Tribunal, hearing appeals from decisions of the Director of Employment Standards, pursuant to the *Employment Standards Act*. In 2005 and 2008 Mr. Savage was part of Rules Committee that revised the Rules of Practice and Procedure of the Tribunal. The Tribunal website is at <http://www.bcest.bc.ca/>.

Financial Services Tribunal, Member, 2006 - present

Mr. Savage is a member of the Financial Services Tribunal which hears appeals in disciplinary proceedings under 6 British Columbia statutes including the *Financial Institutions Act*, the *Mortgage Brokers Act*, the *Pension Benefits Standards Act*, the *Real Estate Development Marketing Act*, the *Credit Union*

Incorporation Act, and the *Real Estate Services Act*. The Tribunal website is at <http://www.fic.gov.bc.ca/fst/>.

Environmental Appeal Board, Member, 2007 – present

Mr. Savage is a member of the Environmental Appeal Board established under the *Environmental Management Act*. The Environmental Appeal Board hears appeals from administrative decisions made under the *Environmental Management Act*, the *Health Act*, the *Integrated Pest Management Act*, the *Water Act*, and the *Wildlife Act*. The Tribunal website is at <http://www.eab.gov.bc.ca/index.htm>.

Forest Appeals Commission, Member, 2007- present

Mr. Savage is a member of the Forest Appeals Commission established under the *Forest Practices Code of British Columbia Act* and continued under the *Forest and Range Practices Act*. The Forest Appeals Commission hears appeals from administrative decisions under 5 forestry related statutes, the *Forest Practices Code of British Columbia Act*, the *Forest and Range Practices Act*, the *Forest Act*, the *Private Managed Forest Land Act*, the *Range Act*, and the *Wildfire Act*. The Tribunal website is located at <http://www.fac.gov.bc.ca/index.htm>.

EMPLOYMENT

Partner, Crease Harman & Company

In 1978 Mr. Savage completed articles with Crease & Company, and in 1985 became a partner in the firm. In 1992 Crease & Company amalgamated with Harman & Company to become Crease Harman & Company and Mr. Savage became a partner in that firm.

From 1978 -1985 Mr. Savage had a general litigation practice, including ad hoc prosecutions for the Department of Fisheries and Oceans, Commercial and General Litigation. From approximately 1985 Mr. Savage has restricted his practice to administrative law and employment law. Mr. Savage has appeared in all courts in British Columbia, provincial courts, the BC Supreme Court, Court of Appeal and the Federal Court, both trial and appeal divisions, and the Tax Court of Canada, and before many administrative tribunals, including the Labour Relations Board, the Employment Standards Tribunal, the Workers Compensation Appeal Board, the Property Assessment Appeal Board, and the Human Rights Tribunal.

EDUCATION & AWARDS

BA Simon Fraser University (1972)
LLB University of British Columbia (1977)
C. Arb., ADR Institute of Canada (2007)

In first year Mr. Savage received the **George Curtis award for Contract Law**.
In third year he received the **Eric C.E. Todd prize for Legal Writing**.

Following graduation and before commencing Articles, Mr. Savage did research at the University of British Columbia Law School for Professor Beverly McLachlin, as she then was, on evidence issues.

PROFESSIONAL ORGANIZATIONS

Member, Canadian Bar Association
Member, Law Society of British Columbia
Past Executive Member, Victoria Bar Association
Member, International Association of Assessing Officers
Member, Canadian Property Tax Association
Member, CCAT (Canadian Council of Administrative Tribunals)
Member, ADR Institute of Canada.

PUBLICATIONS

1. Editorial Board, *Real Property Assessment Manual*, Continuing Legal Education Society of British Columbia (1990 -2008) (continuing).

Together with 3 other lawyers and a CLE editor Mr. Savage was part of the first Editorial Board that wrote the original CLE *Real Property Assessment Manual* in 1990.

Since 1990 he has continuously sat on the Editorial Board which reviews the entire text and has been individually responsible for updates on various chapters during that period, including “The Valuation of Property”, “Appeal Proceedings”, “Appealing a Board Decision”.

2. CLE Author & Instructor, *Real Property Assessment*, Continuing Legal Education Society of British Columbia.

Since 1985 Mr. Savage has contributed articles and instructed at seminars on a variety of real property assessment issues for the nearly annual Real Property Assessment Seminars sponsored by the CLE Society.

3. Miscellaneous.

Mr. Savage has published a variety of articles on diverse legal issues in publications such as the *Appraisal Institute of Canada Journal* (tax deductibility of members dues), the *Real Estate Institute of BC Journal*, the *Journal of Property Tax Assessment & Administration*, the *Alpine Club of Canada Gazette* (waivers and liability for negligence), and *BC Golf* (golfers liability and duty of care). Mr. Savage has lectured on a variety of administrative and real property topics for the Continuing Legal Education Society of BC, the International Property Tax Institute, the Canadian Property Tax Association, and on various employment issues for Lorman Educational Services and the Employment Standards Tribunal.

4. Partial Publications List

Real Property Assessment Manual, the Continuing Legal Education Society of British Columbia, 1990 with annual Updates to 2007, chapter author and continuing Editorial Board member, 1990 - 2007;

“Valuation – the Cost Approach, Attack on the Cost Approach, and the Crown Forest Industries Appeal”, the Continuing Legal Education Society, Real Property Assessment Seminar, April 3, 1987;

“Current Valuation Issues – Commercial Properties”, the Continuing Legal Education Society of B.C., Real Property Assessment Seminar, October 13, 1988;

“Appraisers Get Their Due”, *Input*, the Real Estate Institute of British Columbia, Volume 22, No. 2, Summer 1999;

“Golfers Liability – A Slice of Life”, Golf Vancouver Island, Pilot Press Ltd, Victoria, B.C, Summer, 1998;

“Rockies Panorama Traverse”, Alpine Club of Canada, Alpine Club of Canada Gazette, Volume 16, no. 3, Fall 2002;

“Difficult Issues in the Workplace – Sexual Harassment, the Disabled Employee, and Substance Abuse”, Lorman Educational Services, July, 2003;

“Human Rights Issues and the Absent Employee”, Lorman Educational Services, September 2002;

“Waivers and Duty of Care”, Alpine Club of Canada, Alpine Club of Canada Gazette, Volume 17, No. 2, Summer, 2003.

“Whither the Cost Approach?”, *Canadian Property Taxpayers Association*, Charlottetown Conference, P.E.I., September, 2004.

“Use and Disclosure of Employee Records”, Crease Harman & Company Presentation, June 2004.

“Occupation and Assessment”, The Continuing Legal Education Society of BC, *Real Property Assessment 2005*, April 21, 2005.

“Southam Considered”, The Continuing Legal Education Society of BC, *Real Property Assessment 2005*, April 21, 2005.

“Burlington Resources – Classification of Pipelines”, Canadian Property Tax Association, *Communication Update*, March/April, 2005.

“Board Has No Discretion to Extend Appeal Period”, Canadian Property Tax Association, *Communications Update*, May/June, 2005.

“Case Comment: *Broadway Properties Ltd. et. al. v. Assessor of Vancouver*”, Canadian Property Tax Association, *Communications Update*, July/August 2005.

“Case Comment: *TSI Terminal Systems Inc. v. Assessor of Vancouver*”, Canadian Property Tax Association, *Communications Update*, May/June 2006.

“Litigating in a Mass Appraisal Environment”, Paper and Presentation, International Property Tax Institute, 8th International Conference, Vancouver, February, 2006.

“Administrative Penalties Under the *Employment Standards Act*”, Paper and Presentation, Policy Conference, Employment Standards Tribunal, Vancouver, September 2006.

“The Evolution of Equitable Property Assessment in Canada”, Paper and Presentation, International Property Tax Institute, 9th International Conference, Kuala Lumpur, Malaysia, *Modernization of Property Tax Systems in Asia*, August, 2006.

“Appraisal Tolerances and Ranges of Value”, Paper and Presentation, International Property Tax Institute, 9th International Conference, Toronto, Canada, May 2007.

“The Evolution of Equitable Property Assessment in Canada”, *Journal of Property Tax Assessment & Administration*, Vol. 4, Issue 2, Fall 2007, International Association of Assessing Officers and International Property Tax Institute.

Speaker, Cross Canada Legal Panel, “British Columbia Update”, *Canadian Property Taxpayers Association*, Victoria Conference, B.C., September, 2007.

Case Comments: “*Young Life v. Assessor of Area 08* (2007 PAABBC 20070013)”, and “*Deborah Mollard et al v. Assessor of Area 01, Capital* (2007 PAABBC 20071621)”, Canadian Property Tax Association, *Communications Update*, October/November 2007.

“Administrative Penalties and Director/Officer Liability under the *Employment Standards Act*”, February, 2008, *Employment Standards Tribunal*, Winter 2008 Policy Conference.

COMMUNITY INVOLVEMENT

Honourary Counsel, Scouts Canada, BC-Yukon Provincial Council
1999-2007

Mr. Savage has been involved in Scouting for over twenty years, most recently as Honourary Counsel for British Columbia. In this capacity he has performed a variety of pro-bono services for Scouting throughout British Columbia.

Past Honourary Counsel Positions

Mr. Savage has acted as Honourary Counsel to the Victoria Branch of the Canadian Red Cross (1985-1990), and Lester B. Pearson College of the Pacific(1990-1995).

Member, Past Director, Greater Victoria Chamber of Commerce

Is a Current member and past Director and Executive Director of the GVCC. While a Director Mr. Savage chaired a variety of portfolios including Provincial Affairs.

Director, Islands Open Golf Society

The Islands Open Golf Society hosts the “Victoria Open”, which has traditionally been the first stop on the Canada Professional Golf Tour. The Victoria Open has raised over \$100,000 for various charities over the past 5 years, including the Vancouver Island Prostate Cancer Research Foundation, and the Canadian Breast Cancer Foundation.

In 2002/3 Mr. Savage was part of the team that negotiated a contract with the Golf Channel and Canadian Professional Golf Tour to televise the Victoria Open at Royal Colwood Golf Course. This was a first time event for a CPGA event.

Recipient, The Queen’s Golden Jubilee Medal

In January 2003 Mr. Savage received the Queen's Golden Jubilee Medal for distinguished service.

Recipient, The Silver Acorn, Scouts Canada

In January, 2008 Mr. Savage was presented with the Silver Acorn award for "especially distinguished service" to scouting over a twenty year period.

Outside Interests

...Include running, reading, writing, golfing, hiking, skiing and photography.