

Exciting opportunities in British Columbia's administrative tribunals.

1. The **Building Code Appeal Board** is currently seeking applicants for the **Chair** position of the Board.
2. The **Safety Standards Appeal Board** is currently seeking applications for the **Chair** position of the Board.

The **Building Code Appeal Board** ("BCAB") is a quasi-judicial administrative tribunal established under the *Building Act*. BCAB reviews appeals of local authority decisions on whether a matter conforms to provincial building regulations made under the *Building Act*. The Board must exercise its jurisdiction in compliance with the rules of natural justice and in accordance with administrative law principles. It has broad powers under the *Administrative Tribunals Act* to design its own rules of practice and procedure and to employ alternative dispute resolution processes. In carrying out its work, BCAB operates within the broad policy direction by the Ministry of Housing and budget set by the Ministry of Attorney General. BCAB hears approximately 30 applications each year with considerable variation in content and complexity.

BCAB is currently composed of the chair, vice chair, and 2 tribunal members, all part-time. All Board members are appointed by Ministerial Order by the Minister of Attorney General in accordance with the *Building Act* and the *Administrative Tribunals Act*. BCAB's annual budget is approximately \$35,000.

The **Safety Standards Appeal Board** ("SSAB") is an independent administrative tribunal established by the *Safety Standards Act* to hear appeals of administrative decisions made under the Act. SSAB's jurisdiction was expanded in 2007 to allow it to hear appeals from decisions of the registrar under the *Homeowner Protection Act* and in 2017 to hear appeals of administrative penalties under the *Building Act*. It has broad powers under the *Administrative Tribunals Act* to design its own rules of practice and procedure and to employ alternative dispute resolution processes. In carrying out its work, SSAB operates within the broad policy direction set by the Ministry of Housing and budget set by the Ministry of Attorney General.

The SSAB is currently composed of the chair, vice chair, and 4 tribunal members, all part-time. All Board members are appointed by Ministerial Order by the Attorney General, in accordance with the *Safety Standards Act* and the *Administrative Tribunals Act*. The Chair must have some adjudicative experience and/or applied knowledge of administrative law. The other members have legal, technical or construction backgrounds to ensure there is sufficient expertise on the Board to fairly adjudicate appeals from the technical disciplines over which the Board has jurisdiction. The Board shares one full-time employee (a deputy registrar) with the Building Code Appeal Board (BCAB), the Surface Rights Board (SRB), and the Property Assessment Appeal Board (PAAB). The Board's annual budget is approximately \$160,000.

A summary of responsibilities for the **Chair** of the **Building Code Appeal Board** include:

- recruiting and conducting performance evaluation of Board members;
- conducting of reviews by written submissions and for establishing panels of the Board;
- monitoring member performance, ensuring that members familiarize themselves with new editions and revisions to Provincial building regulations, and comply with the rules of natural justice, the principles of administrative law, applicable legislation and case law;
- providing leadership to Board members and taking an active role in the orientation and training of members;
- conducting hearings, orally or by written submissions and conducts, reviews, or participate in reviews and renders high quality, well-reasoned decisions on a timely basis;
- by agreement, participating in policy discussions with the policy ministry and others on the Board's role and jurisdiction, as well as on legislative initiatives to restructure or reform the Board and its work;
- exercising appropriate discretion in resolving matters that come before the Board within the statutory framework of the *Building Act*, the *Administrative Tribunals Act*, and associated regulations;
- weighing and considering evidence to determine the relevant facts, interpret and apply the law, and arrive at a considered and reasoned decision. All decisions must be written clearly and concisely,

competently identify and canvas the relevant issues, evidence and submissions, and provide analysis to support the conclusions;

- treating parties with respect, dignity, and patience;
- ensuring the Board operates within its mandate established by applicable legislation; and,
- performing other activities within the scope of the position.

The **Chair** of the **Building Code Appeal Board** must possess the following competencies and attributes:

- comprehensive and in-depth knowledge and experience in the interpretation and application of: Provincial building regulations, in particular the BC Building Code (including analysis and application of the Code's alternative solutions); the structure of the building regulatory process in British Columbia; and, enabling legislation and regulations;
- demonstrated leadership experience including at least one or more of the following:
 - leadership as part of a senior management team, board, executive committee, court or administrative tribunal and excellence demonstrated in the recruitment and training of decision-makers/members, establishing service standards, evaluation, and leading and developing professional staff;
 - exceptional communication and change management skills, including fostering a positive, creative organizational culture, and building and managing relationships with staff;
 - experience preparing, maintaining, and reporting an operational budget; or
 - experience managing professional, multi-disciplinary members to foster engagement and collaborative and supportive work environments.

A summary of responsibilities for the **Chair** of the **Safety Standards Appeal Board** include:

- recruiting and conducting performance evaluation of Board members;
- monitoring member performance, ensuring that members familiarize themselves with new editions and revisions to applicable Provincial safety and building regulations, and comply with the rules of natural justice, the principles of administrative law, applicable legislation and case law;
- providing leadership to Board members and takes an active role in the orientation and training of members;
- conducting, reviewing, and participating in alternative dispute resolution processes or formal hearings and renders high quality, well-reasoned decisions on a timely basis;
- reviewing all assigned matters, including documents and evidence available for hearing purposes;
- by agreement, participating in discussions with the policy ministry and others on the Board's role and jurisdiction, as well as on legislative initiatives to restructure or reform the Board and its work;
- exercising appropriate discretion in resolving matters that come before the Board within the statutory framework of the *Safety Standards Act*, the *Homeowner Protection Act*, the *Building Act*, the *Administrative Tribunals Act*, and associated regulations;
- weighing and considering evidence to determine the relevant facts, interprets and applies the law, and arrives at a considered and reasoned decision. All decisions must be written clearly and concisely, competently identify and canvas the relevant issues, evidence and submissions, and provide analysis to support the conclusions;
- employing statutory tools and dispute resolution techniques that will maintain or enhance the Board's adjudicative role, whether determined by settlement agreement or informal hearing;
- exercising sound judgment and skill in the conduct of proceedings and in communication with other public agencies or the public;
- treating parties with respect, dignity, and patience;
- taking the lead in promoting public education about the Board's responsibilities and processes, as well as represent the Board to the general public;

- having ongoing contact and relationships with stakeholders including but not limited to Technical Safety BC, BC Housing, and the public; and,
- performing other activities within the scope of the position.

The **Chair** of the **Safety Standards Appeal Board** must possess the following competencies and attributes:

- adjudicative experience and/or applied knowledge of administrative law, specifically the principles of procedural fairness;
- comprehensive and in-depth knowledge of various public safety and regulatory schemes legislated in British Columbia and, the *Safety Standards Act*, SBC 2003, c. 39 and regulations, *Homeowner Protection Act*, SBC 1998, c. 31 and regulations, and Part 5 of the *Building Act*, SBC 2015, c.2 and regulations;
- demonstrated leadership experience including at least one or more of the following:
 - leadership as part of a senior management team, board, executive committee, court or administrative tribunal and excellence demonstrated in the recruitment and training of decision-makers/members, establishing service standards, evaluation, and leading and developing professional staff;
 - exceptional communication and change management skills, including fostering a positive, creative organizational culture, and building and managing relationships with staff;
 - experience preparing, maintaining, and reporting an operational budget, or
 - experience managing professional, multi-disciplinary members to foster engagement and collaborative and supportive work environments.

Detailed information about the **Building Code Appeal Board** opportunity is available at:

<https://tinyurl.com/se2stxe9>

Detailed information about the **Safety Standards Appeal Board** opportunity is available at:

<https://tinyurl.com/2p98w9ym>

Other administrative tribunals will also be recruiting in the coming months. You can view these opportunities at:

<https://tinyurl.com/n544r6zc>