

Review of Valuation

What is a Review of Valuation?

A landowner who remains dissatisfied with the determination of the Valuer-General upon objection can apply for a review of the valuation by an independent valuer **within 21 days following receipt of the objection decision.**

The Independent Review Valuer is selected by the landowner from the appointed panel of valuer's to conduct the review.

What is the role of the Independent Review Valuer?

Pursuant to Section 25B (5)-(10) of the *Valuation of Land Act 1971* (The Act) the review valuer has a prescribed role to independently review and make a determination in relation to a valuation dispute between a landowner and the Valuer-General.

Similarly, under Section 169(16) of the *Local Government Act 1999*, review applications lodged against a valuation determined by a council are administered in the same manner.

Any actual or potential conflicts of interest must be disclosed to the Registrar.

How are Independent Review Valuer's appointed?

His Excellency the Governor in Executive Council appoints valuers to a valuation review panel.

Valuers are appointed following nomination from either the Real Estate Institute of South Australia (REISA) or the Australian Property Institute (API) upon application by the valuer.

Valuers must be suitably qualified in accordance with the *Land Valuers Act 1994*.

Appointments are for a term not exceeding 3 years. All members are eligible for reappointment upon the expiration of their term.

No person employed in a department of Government, by an agency or instrumentality of the Crown or by a council is entitled to be a member of a panel established under the Act.

What Valuation Review Panels exist?

For the purpose of administering the process, panels of valuers are established to cover all metropolitan and country regions of the State, designated as follows:

- Metropolitan Adelaide;
- Adelaide Hills & Barossa;
- Fleurieu & Kangaroo Island;
- Eyre & Western;
- Far North;
- Limestone Coast;
- Murray & Mallee; and
- Yorke & Mid North.

Each valuer nominated to one of the above panels must be suitably experienced in valuations in that region.

What are the obligations of the Review Valuer?

In conducting a review of a valuation, the review valuer's determination must take into account:

- the matters set out in the application for review;
- any representations of the applicant and the Valuer-General; and
- any other matter the valuer considers relevant to the review of the valuation.

To maintain procedural fairness in conducting the review the valuer must give the applicant and Valuer-General reasonable opportunity to make representations either verbally and/or in writing.

It is not a requirement of the Act for the Independent Review Valuer to inspect the subject property or the sales evidence presented.

What considerations must the Independent Review Valuer take into account in making a determination?

The scope of the review is confined to matters of valuation fact (for example sales evidence and other information relating to comparable properties) and must not involve questions of law.

Determinations must give due consideration to the definitions and requirements of the Act together with any relevant court precedents.

How to apply for a Independent Review by Valuer?

Lodge an application with the applicable fee at the Office of the Valuer-General or by post within a 21 day period from receipt of receiving the Valuer-General's objection decision letter.

The Independent Review Valuer (selected by the landowner from a list of formally appointed review panel members) will confirm (maintain), increase or decrease the Valuer-General's valuation.

If the Review by Valuer determines the valuation should be amended by an amount greater than 10% the Valuer-General's valuation, the Valuer-General must make an alternation to the valuation roll as necessary.

Where a valuation is reduced upon a review, the applicant's fee will be refunded.

Review by South Australian Civil and Administrative Tribunal (SACAT)

If you are dissatisfied with the Valuer-General's decision by the Independent Review Valuer you can seek an evaluation of the decision by SACAT.

You are required to lodge an application within 21 days of receipt of the review decision letter issued via Review by Valuer.

To apply online or for more information visit:

www.sacat.sa.gov.au

Where can I get a Review Application form?

The 'Application for Review of Valuation' forms are available at:

www.dpti.sa.gov.au/land/ovg

www.sa.gov.au/propertyvaluations

Important Note:

Both Review by Valuer and SACAT processes can result in a valuation being confirmed (maintained), reduced or increased, and the Valuer-General is bound by this decision.

In the case of Review by Valuer, the Valuer-General also has the right to seek a subsequent review of this decision through an application to SACAT.

For further information please contact:

Registrar, Valuation Review Panels

Post: Office of the Valuer-General
GPO Box 1354, Adelaide SA 5001

In Person: Ground Floor, 101 Grenfell Street
Adelaide 5000

Email: Lsgreviews@sa.gov.au

Phone: 1300 653 346