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August 14, 2013

The Honourable Murray Rankin
Official Opposition Critic for National Revenue
House of Commons
Ottawa , Ontario K1A 0A6

Delivered via email.

Dear Mr. Rankin,

Enclosed with this letter please find a petition signed by over 1100 taxpayers. The petition is relatively self explanatory and is respectfully asking the Minister of National Revenue to intervene to resolve complaints from taxpayers. The complaints are regarding taxpayer treatment by the Canada Revenue Agency, Compliance Service Initiative, out of the Winnipeg Tax Centre. The Minister has not responded to the petition which was submitted to her predecessor on June 25, 2013 and again directly to Minister Findlay on July 15, 2013. She has, however, responded individually to one of our members on July 29, 2013, referring his complaint back to the CRA Winnipeg office; to the same individual and office he and we are complaining about. These communications are posted on our website.

Also attached is a copy of a May 14, 2013 Federal Court judgement; Ficek vs. the Attorney General, Docket T-1933-11, Citation 2013 FC 502 regarding this issue. In spite of this ruling, the Canada Revenue Agency continues to send letters to taxpayers asking for them to waive their rights to charitable donation tax credits achieved through registered gifting arrangements in return for assessing their returns with all due dispatch. This is in defiance of the Federal Court judgement by the Honourable Judge Michael L Phelan. He determined this tactic to be a deterrence tactic, not a requirement for assessment of the taxpayers return. Internal communication at CRA referred to "...having the taxpayers over a barrel." More than 90 days after the Judgement, taxpayers are still not being given any option to have their returns assessed without delay of up to two years. They are being kept over that barrel.

We have written another Open Letter to the CRA and you can see it on our website. It was submitted to the Minister on August 6, 2013 with no response so far. As of today, all complaints to CRA, the Ombudsman, and the Minister are being ignored.

Additionally , this deterrence tactic by the CRA is in contradiction to new provisions in the 2013 Federal Budget. The Budget assumes the CRA will assess taxpayers with all due dispatch and prior to audit. If the audit results in reassessments being issued for gifting arrangements, the CRA has been given authority to collect 50% of the tax reassessed even if a notice of objection has been filed by the taxpayer.

We are respectfully asking you to intervene and request the Minister to stop the Winnipeg Tax Centre from employing these deterrence tactics and direct them to process taxpayers' 2012 tax returns "with all due dispatch", as required by law.

Thank you in advance for your assistance and cooperation.

Yours truly,



J. Jaye Torley
President
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