

**CALGARY
ASSESSMENT REVIEW BOARD
REVISED DECISION WITH REASONS**

In the matter of the complaint against the Property assessment as provided by the *Municipal Government Act*, Chapter M-26, Section 460(4).

between:

Autovision Investments Ltd., COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

***Board Chair, J. Zezulka
Board Member 1, H. Ang
Board Member 2, R. Roy***

This is a complaint to the Calgary Assessment Review Board in respect of Property assessment prepared by the Assessor of The City of Calgary and entered in the 2010 Assessment Roll as follows:

ROLL NUMBER: 024000200

**LOCATION ADDRESS: 5312 – 6 Street NE
Calgary, Alberta**

HEARING NUMBER: 60367

ASSESSMENT: \$1,560,000

This complaint was heard on the 26 day of November, 2010 at the office of the Assessment Review Board located at Floor Number 3 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 8.

Appeared on behalf of the Complainant:

- *No one appeared on behalf of the Complainant*

Appeared on behalf of the Respondent:

- *i. Baigent*

Procedural or Jurisdictional Matters:

Autovision Investments Ltd. were not represented at the hearing. However, Section 463 of the Municipal Government Act states that;

"If any person who is given notice does not attend, the assessment review board must proceed to deal with the complaint if

(a) all persons required to be notified were given notice of the hearing, and

(b) no request for a postponement or an adjournment was received by the board or, if a request was received, no postponement or adjournment was granted by the board."

The Board is satisfied that the proper notice of the hearing was sent to the appropriate party. Further, there has been no request for a postponement or an adjournment.

As of the date of the hearing, no Complainant Disclosure of Evidence had been received by the Assessment Review Board, nor was there any evidence disclosure by the Respondent.

Board's Decision:

In accordance with Section 463 of the Municipal Government Act, this Board has proceeded to deal with the complaint at hand. In view of the absence of disclosure, the complaint is denied for lack of compliance.

DATED AT THE CITY OF CALGARY THIS 7 DAY OF DECEMBER 2010.


Jerry Zezulka
Presiding Officer

An appeal may be made to the Court of Queen's Bench on a question of law or jurisdiction with respect to a decision of an assessment review board.

Any of the following may appeal the decision of an assessment review board:

- (a) the complainant;*
- (b) an assessed person, other than the complainant, who is affected by the decision;*
- (c) the municipality, if the decision being appealed relates to property that is within the boundaries of that municipality;*
- (d) the assessor for a municipality referred to in clause (c).*

An application for leave to appeal must be filed with the Court of Queen's Bench within 30 days after the persons notified of the hearing receive the decision, and notice of the application for leave to appeal must be given to

- (a) the assessment review board, and*
- (b) any other persons as the judge directs.*