



## **ASSESSMENT REVIEW BOARD**

Churchill Building  
10019 103 Avenue  
Edmonton AB T5J 0G9  
Phone: (780) 496-5026

### **NOTICE OF DECISION      NO. 0098 14/11 POSTPONEMENT/ADJOURNMENT REQUEST**

SHEPHERD'S CARE FOUNDATION  
6620 - 28 AVENUE NW  
EDMONTON, AB T6K 2R1

The City of Edmonton  
Assessment and Taxation Branch  
600 Chancery Hall  
3 Sir Winston Churchill Square  
Edmonton AB T5J 2C3

This is a decision of the Composite Assessment Review Board (CARB) from a hearing held on July 9, 2011 respecting a postponement or adjournment request for:

<b>Roll Number</b>	<b>Municipal Address</b>	<b>Legal Description</b>	<b>Assessed Value</b>	<b>Assessment Type</b>	<b>Assessment Notice for:</b>
7899404	3820 114 STREET NW	Plan: 1184NY Block: 63 Lot: 27 / Plan: 1184NY Block: 63 Lot: 28 / Plan: 1184NY Block: 63 Lot: 29	\$2,565,000	Annual New	2011

**Before:**

Lynn Patrick, Presiding Officer

**Board Officer:** Kristen Hagg

**Persons Appearing on behalf of Complainant:**

None

**Persons Appearing on behalf of Respondent:**

None

## **ISSUE**

Should a postponement of the 2011 Annual New Realty Assessment hearing scheduled for July 12, 2011 be granted as requested by the Complainant?

## **POSITION OF THE COMPLAINANT**

The Complainant requests a postponement of this merit hearing. The Complainant has been in contact with the Respondent, and both feel it would be prudent to schedule 3 days to hear all of the associated roll numbers together.

## **POSITION OF THE RESPONDENT**

The City of Edmonton consents to this postponement.

## **LEGISLATION**

s.15(1) of the *Matters Relating to Assessment Complaints Regulation*, Alberta Regulation 310/2009 (MRAC), states:

- (1) Except in exceptional circumstances as determined by an assessment review board, an assessment review board may not grant a postponement or adjournment of a hearing.
- (2) A request for a postponement or an adjournment must be in writing and contain reasons for the postponement or adjournment, as the case may be.
- (3) Subject to the timelines specified in section 468 of the Act, if an assessment review board grants a postponement or adjournment of a hearing, the assessment review board must schedule the date, time and location for the hearing at the time the postponement or adjournment is granted.

## **DECISION**

The Board grants the postponement request.

As per s.15(3) of MRAC, the Board has rescheduled the hearings as follows:

Date: August 8, 9, and 10  
Time: 9:00 am  
Location: Edmonton

A new Notice of Hearing with amended disclosure dates will be sent to the parties.

## **REASONS FOR THE DECISION**

In consideration that this is a first-time request and that both parties agree that the rescheduling is necessary, the Board finds an exceptional circumstance exists thereby warranting a rescheduling of the hearings.

Dated this 9<sup>th</sup> day of June, at the City of Edmonton, in the Province of Alberta.

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Lynn Patrick, Presiding Officer

*This decision may be appealed to the Court of Queen's Bench on a question of law or jurisdiction, pursuant to Section 470(1) of the Municipal Government Act, R.S.A. 2000, c.M-26.*

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cc: REYNOLDS MIRTH RICHARDS & FARMER LLP, BARRISTERS AND SOLICITORS