



ASSESSMENT REVIEW BOARD

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

NOTICE OF DECISION NO. 0098 15/11 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 June 9, 2011 respecting a postponement or adjournment request for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
9948752	13430 124 STREET NW	Plan: 9724004 Block: 10 Lot: 9	\$3,460,000	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 9th day of June, at the City of Edmonton, in the Province of Alberta.

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.

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