



ASSESSMENT REVIEW BOARD

MAIN FLOOR CITY HALL
1 SIR WINSTON CHURCHILL SQUARE
EDMONTON, ALBERTA T5J 2R7
(780) 496-5026 FAX (780) 496-8199

NOTICE OF DECISION NO. 0098 153/10 POSTPONEMENT/ ADJOURNMENT REQUEST

Robert Speidel
Aircore Industries Ltd.
8 11824 109 Street NW
Edmonton, AB T5G 2T8

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 August 25, 2010 respecting a postponement or adjournment request for:

Roll Number 9965183	Municipal Address 8 11824 109 Street NW	Legal Description Plan: 9220135 Block: 6A Lot: 2
Assessed Value \$1,723,000	Assessment Type Annual Revised	Assessment Notice for: 2010

Before:

Lillian Lundgren, Presiding Officer

Persons Appearing: Complainant

None

Persons Appearing: Respondent

None

ISSUE

Should the postponement request of the complaint hearing scheduled for September 29, 2010 be granted?

POSITION OF THE COMPLAINANT

The Complainant, Robert Speidel/Aircore Industries, requests a postponement on the basis he is unable to attend the hearing scheduled on September 29, 2010, due to a previously scheduled vacation. The Complainant requests the hearing be rescheduled anytime after October 4, 2010, except for the afternoon of October 12, 2010.

POSITION OF THE RESPONDENT

The Respondent, the City of Edmonton, takes no position with respect to the request for postponement made in relation to the aforementioned roll number and respective hearing.

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.*

Accordingly, as per s. 36(2)(b) of MRAC, a one-member Board was convened to consider the request.

DECISION

The Board grants the postponement request.

REASONS FOR THE DECISION

In consideration that this is a first-time request, that notice of the Complainant's unavailability was provided to the ARB administration, and that the Respondent has no objection, the Board grants the postponement.

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

Date: October 5, 2010
Time: 1:15 PM
Location: Edmonton

The Board directs that the original disclosure dates remain unchanged and no further hearing notices will be sent out in regard to this matter.

Dated this 26th day of August, 2010, at the City of Edmonton, in the Province of Alberta.

Presiding Officer

CC: City of Edmonton Asset Management & Public Works
Municipal Government Board.