



## **ASSESSMENT REVIEW BOARD**

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

### **NOTICE OF DECISION      NO. 0098 18/11 POSTPONEMENT/ADJOURNMENT REQUEST**

ALTUS GROUP  
17327 106A Avenue  
EDMONTON, AB T5S 1M7

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 17, 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>
1008168	18320 STONY PLAIN ROAD NW	Plan: 4761AE Block: T	\$14,538,500	Annual Revised	2011

**Before:**

Hatem Naboulsi, Presiding Officer

**Board Officer:** Segun Kaffo

**Persons Appearing on behalf of Complainant:**

None

**Persons Appearing on behalf of Respondent:**

None

## **ISSUE**

Should a postponement of the 2011 Annual Revised Realty Assessment hearing scheduled for July 11, 2011 be granted as requested by the Respondent?

## **POSITION OF THE RESPONDENT**

The Respondent requests a postponement of the merit hearing on the grounds that the preliminary hearing in this matter has been postponed until July 6-8, 2011; thus requiring that the merit hearing also be postponed until after August 8, 2011.

## **POSITION OF THE COMPLAINANT**

The Complainant consents to this postponement request.

## **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: September 19 and 20, 2011  
Time: 9:00 am – 4:30 pm  
Location: Edmonton

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

## **REASONS FOR THE DECISION**

In consideration that the preliminary hearing must be completed and a hearing decision rendered prior to the merit hearing taking place and that the Complainant has no objection, the Board finds that an exceptional circumstance exists thereby warranting a rescheduling of the merit hearing.

Dated this 17<sup>th</sup> day of June at the City of Edmonton, in the Province of Alberta.

---

Hatem Naboulsi, 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: INNVEST NOMINEE I LTD  
SHEARER ENTERPRISES LTD.  
LESLIE PORTIGAL FOLZ