



ASSESSMENT REVIEW BOARD

Churchill Building
10019 103 Avenue
Edmonton AB T5J OG9
Phone: (780) 496-5026

NOTICE OF DECISION NO. 0098 419/11

EMPEROR PROPERTY HOLDINGS INC
BOX255
FALLIS, AB TOE OVO

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 December 19, 2011 respecting a postponement or adjournment request for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
3571353	10080 JASPER AVENUE NW	Plan: F Lot: 20 / 21	\$21,250,500	Annual New	2011

Before:

Tom Robert, Presiding Officer

Board Officer: Karin Lauderdale

Persons Appearing on behalf of Complainant:

Did not appear

Persons Appearing on behalf of Respondent:

Did not appear

ISSUE

Should a postponement of the 2011 Annual New Realty Assessment hearing scheduled for February 6, 2012 be granted as requested by the Respondent?

POSITION OF THE RESPONDENT

The hearing for Roll3571353 is currently scheduled for February 6-10,2012. This is a building which was originally appealed through Altus. The owner subsequently dismissed Altus and hired Glen Cowan. The merit hearing is still scheduled in the midst of numerous Altus appeals. Both parties agree that it would be desirable to get the hearing out of the batch of Altus appeals and onto another day.

Accordingly, the Respondent is seeking postponement of the merit hearing for Roll 3571353 until sometime in the first two weeks of March 2012.

POSITION OF THE COMPLAINANT

The Complainant is in agreement with this request.

LEGISLATION

Matters Relating to Assessment Complaints Regulation, AR 310/2009

- 15(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.

REASONS FOR THE DECISION

In consideration that this is a first-time request, that notice of the change in agent was provided to the ARB administration, and that the both parties are in agreement with the request, the Board finds an exceptional circumstance exists thereby warranting a rescheduling of the hearings.

Date: March 6, 2012
Time: 1:15PM
Location: Edmonton

Complainant Disclosure: January 23, 2012
Respondent Disclosure: February 20, 2012
Complainant Rebuttal Disclosure: February 27, 2012

A new hearing notice will not be sent

Dated this 19th day of December at the City of Edmonton, in the Province of Alberta.

Tom Robert, 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, RSA. 2000, c M-26.

cc: Glen Cowan and Associates