



ASSESSMENT REVIEW BOARD

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

NOTICE OF DECISION NO. 0098 81/10

Altus Group Ltd.
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 July 30, 2010 respecting a complaint for:

| Roll Number | Assessed Value | Municipal Address | Legal Description | Assessment Notice for: |
|-------------|----------------|--------------------|---|------------------------|
| 3024213 | \$443,500 | 9509 156 Street NW | Plan: 6530ET Block: 7 Lot: 3, 4 5 and 6 | 2010 |
| 1275544 | \$231,500 | 9516 155 Street NW | Plan: 6530ET Block: 7 Lot: 6 | 2010 |
| 3024221 | \$245,000 | 9509 156 street NW | Plan: 6530ET Block: 7 Lot: 3, 4 5 and 6 | 2010 |

Before:

Hatem Naboulsi, Presiding Officer

Board Officer:

Segun Kaffo

Persons Appearing: Complainant

No appearance

Persons Appearing: Respondent

No appearance

ISSUES

Should a postponement of a 2010 Annual New Realty Assessment notice hearing scheduled for August 3, 2010 be granted as requested by the Respondent?

LEGISLATION

The Municipal Government Act, R.S.A. 2000, c. M-26;

S.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.

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

POSITION OF THE RESPONDENT

On July 30, 2010, a request for postponement was received from the Respondent by the Assessment Review Board to reschedule a hearing scheduled for August 3, 2010. The Respondent states that roll numbers 3024213, 1275544 and 3024221 are the parking lots of the West End Medical Building (roll number 3024197). By an agreement reached with the Complainant at a preliminary hearing on July 16, 2010, West End Medical Building is to be scheduled for hearing on November 22, 2010.

The Respondent submits that the building and the parking lots have common issues and should be heard by the same Assessment Review Board on the same day, and is thus requesting a postponement of the hearing to November 22, 2010

POSITION OF THE COMPLAINANT

The Complainant has responded that he is not opposed to the postponement request.

DECISION

The Board grants the postponement request.

REASONS FOR THE DECISION

The board is satisfied that scheduling of the hearings for the West End Medical Building and the parking lots on different dates creates an exceptional circumstance, warranting a postponement to enable consolidation of the hearings.

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

Date: November 22, 2010
Time: 9:00 am
Location: Edmonton

Dated this 30th day of July, 2010, at the City of Edmonton, in the Province of Alberta.

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: Municipal Government Board
Hans Von Srbik