

Edmonton Composite Assessment Review Board

Citation: 675 Properties Inc. v The City of Edmonton, 2014 ECARB 00267

Assessment Roll Number: 3053584

Municipal Address: 12615 152 Avenue NW

Assessment Year: 2014

Assessment Type: Annual New

Between:

675 Properties Inc.

Complainant

and

The City of Edmonton, Assessment and Taxation Branch

Respondent

POSTPONEMENT DECISION OF Shannon Boyer, Presiding Officer

Issue

[1] Should a postponement of the 2014 Annual New Realty Assessment hearing scheduled for May 28, 2014 be granted as requested by the Complainant?

Legislation

[2] The *Matters Relating to Assessment Complaints Regulation*, AR 310/2009, reads:

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.

Background

[3] The parties attended the ARB offices for the May 28, 2014 hearing. ARB administration advised them that the hearings were running behind schedule.

Position of the Complainant

[4] The Complainant indicated that he had a noon appointment. Given the ARB was running behind schedule, there would not be enough time to hear the matter.

Position of the Respondent

[5] The Respondent consented to the postponement, also citing lack of time as a factor.

Decision

[6] The Board grants the postponement request.

[7] The hearing is rescheduled to:

Date: June 4, 2014
Time: 10:00 AM
Location: Edmonton Assessment Review Board Offices

[8] No new notice of the postponed hearing will be sent.

[9] The Board directs that no further evidence be submitted in regard to this matter.

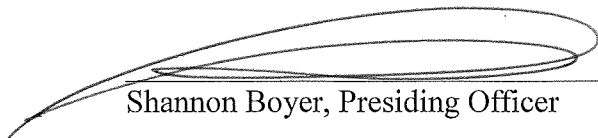
Reasons for the Decision

[10] The Board accepts that exceptional circumstances have resulted in the parties not having enough time to present their cases to the Board. The Complainant's noon appointment, coupled with the Board's unexpected scheduling changes, makes it impossible for the hearing to proceed today as planned.

[11] Accordingly, the Board finds the request to postpone this matter to June 4, a later date agreed upon by the parties, reasonable.

Heard commencing May 28, 2014.

Dated this 28 day of May, 2014, at the City of Edmonton, Alberta.



Shannon Boyer, 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.