



## ASSESSMENT REVIEW BOARD

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

### NOTICE OF DECISION NO. 0098 116/11

Maged S Abdou  
#901-9930-113 Street, NW  
Edmonton, AB T5K 1N6

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 24, 2011 respecting a postponement or adjournment request for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
6545008	12803 65 STREET NW	Plan: 2552S Block: 7 Lot: 1	\$41,500	Annual New	2011

#### **Before:**

John Noonan, Presiding Officer

**Board Officer:** Karin Lauderdale

#### **Persons Appearing on behalf of Complainant:**

None

#### **Persons Appearing on behalf of Respondent:**

None

### **ISSUE**

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

## **POSITION OF THE COMPLAINANT**

By letter of August 19, 2011 the Complainant requests a postponement of the hearing until after September 23, 2011 on the grounds that the Complainant is out of the country due to a family emergency until September 22, 2011 and therefore is unable to attend the current hearing date of September 6.

## **POSITION OF THE RESPONDENT**

By letter of August 23, 2011, the Respondent states that they take no position regarding this request for postponement.

## **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 Complainant's unavailability was provided to the ARB administration, and that the Respondent has no objection, the Board finds an exceptional circumstance exists thereby warranting a rescheduling of the hearings.

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

Date: September 28, 2011  
Time: 9:00 am  
Location: Edmonton

A new hearing notice will not be sent.

The Board directs that no further evidence or documentation be submitted in regard to this matter.

Dated this 24<sup>th</sup> day of August, 2011 at the City of Edmonton, in the Province of Alberta.

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John Noonan, 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.*

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cc: