

# Calgary Assessment Review Board

## 2020 Addendum to Procedural Rules

In response to the COVID-19 pandemic and the orders and directives issued to enforce social distancing, the Calgary Assessment Review Board (the “Board”) has implemented the following new hearing procedures to provide safe access to assessment complaint hearings.

Where the parties agree to a written hearing, the Board will decide the complaint solely on the basis of the written evidence and argument submitted by the parties. There will be no personal attendance before the Board, and no oral submissions will be made to the Board by any party.

Where there is no request from a party, or the other party does not consent to a written hearing, the Board will conduct an oral hearing by electronic means, in accordance with the *Meeting Procedures (COVID-19 Suppression) Regulation, AR 50/2020*.

These procedures are in addition to the provisions set out in the *Calgary Assessment Review Board Procedural Rules* issued April 25, 2019, which will continue to apply to all hearings before the Board, except as provided for herein.

### WRITTEN HEARINGS

1. Where a written hearing is conducted, no party will attend before the Board on the date of the hearing.
2. A decision on a complaint conducted by written hearing will be determined solely on the basis of the written evidence and argument disclosed by the parties in accordance with sections 5 and 9 of the *Matters Relating to Assessment Complaints, AR 201/2017 (“MRAC”)* as amended by the *City of Calgary Charter, 2018 Regulation, AR 40/2018*.
3. Parties may file a written presentation to the Board summarizing their position. A copy of the written presentation must also be provided to the other party within the timelines set out in section 19 of MRAC.
4. Sections 3, 4, 12, 15, 18, 20, 21, 25, 26 and 27 of the *Calgary Assessment Review Board Procedural Rules* do not apply to a written hearing.

### ORAL HEARINGS

5. The Board may direct the parties to attend before it by telephone conference call, videoconference call, or other electronic means.
6. In the event a party is unable to attend the hearing in the manner directed by the Board, or a failure of the technology required to support the oral hearing occurs, the Board may, in its discretion, adjourn the hearing or direct the hearing to proceed by alternative means.

## REQUESTS FOR CHANGE OF HEARING

### Request for Change to Oral Hearing

7. A party who has agreed to a written hearing may subsequently request the Board to hold an oral hearing with respect to the complaint by teleconference or other electronic means.
8. A request from a party for an oral hearing with respect to a complaint that has been scheduled to proceed by written hearing:
  - a. must be made in writing;
  - b. must be addressed to the attention of the General Chair by email: [arb@calgaryarb.ca](mailto:arb@calgaryarb.ca), with subject line "Request for Oral Hearing"; and
  - c. must be made no later than the end of the day following the deadline for disclosure of the respondent's evidence, as set out in the notice of hearing.
9. If a complaint that is scheduled to proceed by written hearing is rescheduled to be heard by oral hearing and the original deadlines for disclosure of evidence have passed, no further evidence will be permitted for the oral hearing.

### Request for Change to In-Person Hearing

10. Once the orders and directives issued to enforce social distancing and to minimize the impact of COVID-19 pandemic are lifted, a party to a complaint that has been scheduled to proceed by electronic means may request the Board to hold an in-person hearing with respect to the complaint.
11. A request from a party for an in-person hearing with respect to a complaint that has been scheduled to proceed by electronic means:
  - a. must be made in writing;
  - b. must be addressed to the attention of the General Chair by email: [arb@calgaryarb.ca](mailto:arb@calgaryarb.ca), with subject line "Request for In-Person Hearing"; and
  - c. must be made no later than three days prior to the hearing date.
12. If a complaint that is scheduled to proceed by electronic means is rescheduled to an in-person hearing and the original deadlines for disclosure of evidence have passed, no further evidence will be permitted for the in-person hearing.

## TRANSITIONAL

13. The rules set out herein are effective as of the date they are issued.

ISSUED at Calgary, Alberta this 30th day of April, 2020.



J. Mathias  
General Chair, Calgary Assessment Review Board