

Dated this 15 day of JUNE, 2016

Between

Town of Grimshaw

Town of Manning

MD of Peace No. 135

Village of Berwyn

County of Northern Lights

AGREEMENT FOR REGIONAL ASSESSMENT REVIEW SERVICES

BACKGROUND

- A. The Regional Partner Municipalities wish to partner together to create one Regional Assessment Review Board.

The Parties agree as follows:

1. AGREEMENT

The following schedules form part of this agreement:

Schedule A - List of Regional Partner Municipalities

Schedule B - Sample Bylaw

Schedule C - Responsibilities

Schedule D - Regional Assessment Review Board Policy Manual

Schedule E - Rates for Travel and Honoraria

Schedule F - Board Member Expense Claim Form

2. DEFINITIONS

In this Agreement, unless the context provides otherwise, the following words or phrases shall have the following meanings:

- a. "Assessor" is the person appointed by the Regional Partner Municipality to assess residents property;
- b. "CARB" is Composite Assessment Review Board as defined by the Matters Relating to Assessment Complaints Regulation;

- c. " **Clerk**" means the designated officer appointed by Council to carry out the duties and functions of the clerk of the assessment review boards as required under Section 455 of the Municipal Government Act;
- d. "**Complainant**" is an assessed person or taxpayer of the Regional Partner Municipality who files a complaint regarding that person's tax or assessment notice;
- e. "**LARB**" is Local Assessment Review Board as defined by the Municipal Government Act;
- f. "**Regional Partner Municipality**" is a municipality listed in Schedule A;
- g. "**Regional Assessment Review Board**" means the Board appointed to hear appeals on tax and assessment notices established in accordance with section 454 of the Municipal Government Act.

3. REGIONAL PARTNER MUNICIPALITY RESPONSIBILITIES

- 3.1 The Regional partner Municipality shall be entitled to participate in the Regional Assessment Review Board once it passes a Bylaw in the form attached as Schedule B
- 3.2
 - i) The Regional Partner Municipality may select and appoint one individual to be a Board member to be available to sit on a panel for the Regional Assessment Review Board
 - ii) If a vacancy on the Board occurs at any time, the Regional Partner Municipality who appointed the individual may appoint a new individual to fill the vacancy for the remainder of that term.
 - iii) Any costs incurred to advertise and select a Board Member are the responsibility of the Regional Partner Municipality.
- 3.3 Each Regional Partner Municipality will pay the costs to train their appointed Board Members, insurance and any other general costs to establish and maintain the Regional Assessment Review Board. This will include legal services if they are required for general purposes to facilitate the administration of the Board (i.e. procedure questions)
- 3.4 The Regional Partner Municipality will pay the Board Member's honoraria and mileage, based upon the remuneration outlined in Schedule E, when attending a hearing. Board Members will submit honoraria and costs on the Expense Form attached as Schedule F. If there are multiple hearings held involving more than one Regional Partner Municipality each municipality will pay their portion of costs based on number of hearings. If legal services are required for issues that relate only to a specific complaint, the cost of the service will be payable by the Regional Partner Municipality which has jurisdiction over the appeal.

4. CLERK RESPONSIBILITIES

4.1 Each Regional Partner Municipality shall appoint a clerk for hearings related to that municipality. The clerk will carry out all duties as required under the Act.

5. TERM

5.1 The term of this agreement is for three years effective June 15, 2016. The term may be extended for an additional three years with mutual agreement by all parties.

6. PRIVACY

6.1 The Clerk is subject to the *Freedom of Information and Protection of Privacy Act* (FOIP) and will protect the confidential information provided from unauthorized access or disclosure.

7. INFORMATION SHARING

7.1 Regional Partner Municipalities will make every reasonable effort to ensure information will be or is intended to be used to make a decision in an assessment review is both complete and accurate.

7.2 In order to process reviews for a property tax or assessment notice, the clerk is authorized to collect the following types of personal information:

7.2.1 Roll #

7.2.2 Legal Address

7.2.3 Civic Address

7.2.4 Registered Owner Name(s)

7.2.5 Registered Owner(s) mailing address and phone number

7.2.6 Assessed Value and Assessment class of the property under review

7.2.7 Name, address, and phone number of Registered Agent for the Owner

7.3 Personal information will be collected from the Regional Partner Municipality or ratepayer as per the FOIP Act.

8. TERMINATION OF AGREEMENT

8.1 Any Regional Partner Municipality may withdraw at any time upon one hundred and eighty (180) days written notice to the other Municipalities.

9. INDEMNIFICATION

9.1 The Regional Partner Municipalities agree, to the fullest extent permitted by law, to indemnify and hold harmless each of the other Regional partner municipalities, their officers, Directors and Employees against all damages, liabilities, or costs arising out of the property assessment or disputes related to the property assessment.

9.2 Each Regional Partner Municipality is solely responsible for the property assessments and compliance with the outcome of the disputed property assessments.

10. INSURANCE

10.1 Regional Partner Municipalities will arrange for comprehensive general liability insurance and directors and officers liability insurance to cover their appointed members.

11. NOTICES

11.1 Any notices or other correspondence required to be given to any party to this agreement shall be deemed to be adequately given if delivered to the Regional Partner Municipalities addresses as provided in Schedule A.

12. SINGULAR AND MASCULINE

12.1 Words importing the singular number shall include the plural number and vice versa and words importing one gender only in this Agreement shall include all genders and words importing parties or persons in this Agreement shall include individuals, partnerships, corporations, and other entities, legal or otherwise.

13. GOVERNING LAW

13.1 This Agreement shall be deemed to have been made in accordance with the laws of the province of Alberta except the International Sale of Goods Act, which is specifically excluded. The Courts of Alberta shall have sole and exclusive jurisdiction over any dispute or lawsuit between parties.

14. INTERPRETATION

14.1 The headings in the Agreement are for ease of reference only and shall not affect the meaning or interpretation of this Agreement.

15. SUCCESSORS

15.1 This Agreement shall inure to the benefit of and be binding upon the Parties, and except as herein before provided, the successors and assigns thereof.

16. ENTIRE AGREEMENT

16.1 This Agreement is the whole agreement between the parties and may not be modified, changed, amended or waived except by signed written agreement of the parties.

17. COUNTERPART

17.1 This Agreement may be executed in any number of counterparts by the

parties. All counterparts so executed shall have the same effect as if all parties actually had joined in executing one and the same document.

The parties to this Agreement have affixed their corporate seals signed by the hands of their proper officers. In the absence of a corporate seal, the "Affidavit Verifying Corporate Signing Authority" and the "Affidavit of Execution" attached shall be completed in full.

Town of Grimshaw

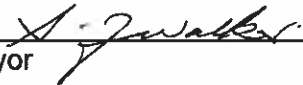


Mayor



CAO

Town of Manning

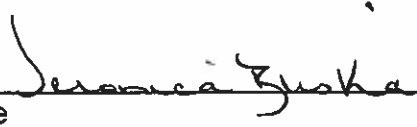


Mayor



CAO

M.D. of Peace No. 135



Reeve



CAO

Village of Berwyn



Mayor




CAO

County of Northern Lights



Reeve



CAO

SCHEDULE A

Regional Partner Municipalities

- | | | |
|----|---------------------------|--------------------------------|
| 1. | Town of Grimshaw | Box 377, Grimshaw, AB, TOH 1WO |
| 2. | Town of Manning | Box 125, Manning, AB, TOH 2VIC |
| 3. | MD of Peace No. 135 | Box 34, Berwyn, AB, TOH OEO |
| 4. | Village of Berwyn | Box 250, Berwyn, AB, TOH OEO |
| 5. | County of Northern Lights | Box 10, Manning, AB, TOH 2MO |

SCHEDULE B

(Name of Municipality)

BYLAW NO. _____

A BYLAW OF THE (NAME OF MUNICIPALITY) IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF ESTABLISHING A REGIONAL ASSESSMENT REVIEW BOARD.

WHEREAS the Municipal Government Act, Revised Statutes of Alberta 2000, Section 456 permits two or more Councils to jointly establish assessment review boards to have jurisdiction in their respective municipalities;

WHEREAS the (Name of Municipality) and the Regional Partner Municipalities jointly wish to establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARS) and the functions of a Composite Assessment Review Board (CARS) under the provisions of the Municipal Government Act in respect of assessment complaints made by taxpayers of a Regional Partner Municipality;

WHEREAS pursuant to Section 454.1 and 454.2 of the Municipal Government Act, a Council must appoint three persons as members to each local assessment review board and two persons as members to each composite assessment review board;

WHEREAS pursuant to Section 454.1(2) a council may establish a local assessment review board consisting of one member;

WHEREAS pursuant to Section 454.2(3) a council may establish a composite assessment review board consisting of only a provincial member appointed by the Minister;

NOW THEREFORE, the council of _____, in the Province of Alberta, duly assembled hereby enacts:

1. This Bylaw may be cited as the Assessment Review Boards Bylaw.

Definition

2. In this Bylaw:

- a. "Board" means the Regional Assessment Review Board;
- b. "Clerk" means the designated officer appointed by Council to carry out the duties and functions of the clerk of the assessment review boards as required under Section 455 of the Municipal Government Act;
- c. "Composite Assessment Review Board" or "GARB" means an assessment review board consisting of one provincial member and 2 other members who are not provincial members, or subject to section 454.2(3), one provincial member;
- d. "Council" means the Council of the _____ including Regional Partner Municipalities;
- e. "Local Assessment Review Board" or "LARB" means an assessment review board consisting of 3 members who are not provincial members, or subject to section 454.1(2), one member who is not a provincial member;

- f. "Municipal Government Act" or "MGA" means the Municipal Government Act of Alberta, RSA 2000, Chapter M-26, as amended and Regulations passed under that Act;
- g. "Member" means a Member of a Local Assessment Review Board or Composite Assessment Review Board duly appointed by Council in accordance with the Municipal Government Act.;
- h. "Member at Large" means a person who does not represent a specific organization and is a resident of the regional partner municipalities;
- i. "Provincial Member" means a person appointed as a provincial member to a composite assessment review board by the Minister under section 454.2(2) or (3).
- j. "Regional Partner Municipality" means those municipalities listed in Schedule "A" to this bylaw and who enter into an agreement with the (Name of Municipality) to jointly establish a Regional Assessment Review Board and who enact a bylaw substantially in the form of this bylaw.

Assessment Review Boards

- 3. The Council hereby establishes the following Assessment Review Boards for (Name of Municipality) and its Regional Partners;
 - a. Local Assessment Review Board No. 1 shall consist of one (1) appointed Member at Large;
 - b. Local Assessment Review Board No. 2 shall consist of three (3) appointed Members at Large;
 - c. Composite Assessment Review Board No. 1 shall consist of one (1) Provincial Member; and
 - d. Composite Assessment Review Board No. 2 shall consist of two (2) appointed Members at Large and one (1) Provincial Member.
- 4. The Assessment Review Boards shall carry out the duties and responsibilities as set out in the Municipal Government Act and the regulations.
- 5. The Assessment Review Board hearings shall be held in one or more Regional Partner Municipalities as agreed upon by the regional partners.
- 6. The Council of each Regional Partner Municipality shall appoint a person to carry out the duties and functions of clerk of the assessment review boards for their municipality.
- 7. The Clerk may select any of the appointed board members to sit on the Local Assessment Review Board and the Composite Assessment Review Board. The members of the Local Assessment Review Board must choose a Chairman from among themselves. The Chairperson of the Composite Assessment Review Board is the Provincial Member.

Membership

- 8. The Council of each Regional Partner Municipality shall appoint by resolution one member at large to serve as their member on the regional assessment review board with the Board consisting of 5 members. Where a Regional Partner Municipality is unable to find a member at large to serve as their member on the regional assessment review board, that member municipality may appoint a Council Member from amongst their Council to serve as their member.

9. All board members shall be appointed for three year terms except in the initial year where two-thirds are appointed for three year terms and the remaining one-third are appointed for a two year term.
10. If a vacancy on the Board occurs at any time the Regional Partner Municipality who appointed this person may appoint a new member at large or a Council Member if no member at large is available to fill the vacancy for the remainder of that term.
11. A member may be re-appointed to the Board at the expiration of his/her term. Regional Partner Municipalities must appoint a member at large if at all possible.
12. A member may resign from the Board at any time on written notice to the Clerk of the Regional Partner Municipality who appointed this person.
13. A Regional Partner Municipality may remove a Member at any time on the recommendation of its Clerk.
14. A Member may not participate unless the person is qualified to do so in accordance with the regulation.
15. The term of this Agreement is for three years from the execution date. The term may be extended for another three years with mutual agreement by all regional partners.

Remuneration

16. All members of the Regional Assessment Review Board will receive the same remuneration and travelling expenses and the Council of each Regional Partner Municipality shall establish these rates by resolution.

Complaint Fee

17. The Council of each Regional Partner Municipality may by resolution prescribe filing fees for the filing of Complaints.

First reading given on the __day of _____, 2010.

Schedule C- Responsibilities

A=Assessor from Regional Partner Municipality C=Clerk for Regional Board (as designated by Regional Partner Municipality)

C	RECEIPT OF APPEAL
C	<ul style="list-style-type: none"> • collect fee
C	<ul style="list-style-type: none"> • review appeal for validity / compliance with legislation
C	<ul style="list-style-type: none"> • open file and sent to assessor
	INITIAL STAGES
A / C	<ul style="list-style-type: none"> • preliminary discussions and disclosure of information occurs between complainant and assessor
A / C	<ul style="list-style-type: none"> • assessor advises clerk if matter is resolved or proceeding to appeal
C	<ul style="list-style-type: none"> • if resolved, clerk administers withdraw in accordance with local practice (refund fee MGA sec 481(2))
C	CONFIRMATION OF RECEIPT OF APPEAL
C	<ul style="list-style-type: none"> • review appeal for appeal type / validity / compliance with legislation
C	<ul style="list-style-type: none"> • determine if issue exists for merit hearing
C	ASSIGNMENT OF RESOURCES
C	<ul style="list-style-type: none"> • open file / identify all parties involved
C	<ul style="list-style-type: none"> • assign administrative support and board regional partners
C	<ul style="list-style-type: none"> • establish hearing date, schedule facility, board regional partners
C	SEND NOTICE OF HEARING TO COMPLAINANT
C	<ul style="list-style-type: none"> • copies to assessor and Minister (if CARB)
C	<ul style="list-style-type: none"> • copies if necessary to property owner, agent, lessee, etc.
C	DISCLOSURE
C / A	<ul style="list-style-type: none"> • complainant provides 1st disclosure to clerk and assessor
C	<ul style="list-style-type: none"> • clerk date stamps submission
A	<ul style="list-style-type: none"> • assessor submits response to clerk and complainant
C	<ul style="list-style-type: none"> • clerk date stamps assessors submission
C	<ul style="list-style-type: none"> • complainant provides rebuttal to clerk and assessor
C	<ul style="list-style-type: none"> • clerk date stamps submission
C	AGENDA
C	<ul style="list-style-type: none"> • clerk verifies all disclosure
C	<ul style="list-style-type: none"> • clerk verifies attendance of all parties
C	<ul style="list-style-type: none"> • clerk will produce agenda packages and provide copies at the hearing for regional partners and public
C	<ul style="list-style-type: none"> • clerk will liaise with the Board and provide all materials necessary- including legislation

C	<ul style="list-style-type: none"> • clerk will prepare templates for record of hearing and decisions of the Board
C	APPEAL HEARING
C	<ul style="list-style-type: none"> • clerk will attend hearing and produce a record that identifies all issues presented to the board
C	<ul style="list-style-type: none"> • clerk may attend deliberations upon decision from the Board and provide information to the Board as required (e.g. legislation). <ul style="list-style-type: none"> - Clerk will review draft decision from the Board for spelling, grammar, etc. and prepare decision letter for Board approval - Clerk will ensure timelines are adhered to
C	SEND NOTICE OF DECISION TO COMPLAINANT
C	<ul style="list-style-type: none"> • copies to assessor and Minister (if CARB)
C	<ul style="list-style-type: none"> • copies if necessary to property owner , agent, lessee, etc.
C	RECORD KEEPING
C	<ul style="list-style-type: none"> • clerk will compile a reporting package of the appeal and provide to the Municipality, which includes: <ul style="list-style-type: none"> - record of the hearing - statistics (where necessary)
C	<ul style="list-style-type: none"> • clerk will compile and retain a record of the hearing in accordance with the regulations

Schedule "D"

Regional Assessment Review Board Policy Manual

Background:

The RARB is governed by Part 11 of the Municipal Government Act, Revised Statutes of Alberta, Chapter M-26 and the Matters Relating to Assessment Complaints Regulation 310/2009; however, other policies are needed to guide the Board's processes.

Purpose:

To provide all Parties with information regarding the manner in which RARB will hold hearings and address related matters.

Policy Statements

These policies and procedural rules apply to all appointed Members of the Regional Assessment Review Board. They outline obligations and duties of the Board and various procedures and policies that govern Board hearings. They have been developed in recognition of the fundamental and overriding responsibility to maintain the integrity, competence and effectiveness of the Board.

Definitions

In this document:

1. "Act" means the Alberta Municipal Government Act"
2. "Board" means the Regional Assessment Review Board;
3. "Clerk" means the clerk of the Regional Assessment Review Board;
4. "Member" means a member of the Regional Assessment Review Board;
5. "Regulation" means the Matters Relating to Assessment Complaints Regulation (310/2009);
6. "Rule" means any policy, procedure, or rule herein.

Knowledge of Law

All Members must be properly trained and qualified to perform their responsibilities. They must know and apply all relevant legislation respecting the duty of fairness, laws of natural justice, and various procedures, powers, and obligations of the Board.

All Members are responsible for thoroughly understanding and compliance with this policy and related procedures.

Bias and Conflict of Interest

Members must study and apply Section 170 of the Act, Pecuniary Interest.

Members must not hear or vote on any decision that relates to a matter in respect of which the Member has pecuniary interest. (Act, s. 480(1) – Prohibition).

Members must inform the Presiding Officer/Chairman, at the earliest opportunity, of any basis on which an allegation of bias or conflict might be raised with respect to any activity, interests or relationships of the Member.

A Member must not use or divulge information obtained as a result of their appointment to the Board for personal benefit or for the benefit of any other person.

A member must not participate as panel member on any hearings in which:

- a. The complainant is a family member, or extended family member of themselves, of their spouse, or of their children's family, or their extended family members; or,
- b. The complainant is a resident of the same community in which the member resides; or,
- c. The complainant is a business associate, an employee, or close acquaintance, but does not include a casual acquaintance.

A member has a pecuniary interest in a matter to the same extent that a councillor would have a pecuniary interest in the matter as determined in accordance with section 170 of the Act.

A member shall not act as a professional or legal consultant in the preparation of a matter to be heard by the Board.

A member shall not engage in conduct that exploits their position on the Board.

Withdrawal of panel member

Where a panel member becomes aware of circumstances that raise a reasonable apprehension of bias, that member will

- Declare that an apprehension of bias exists and withdraw from the panel, or
- Disclose the circumstances and offer to withdraw from the panel, unless all parties waive any objection.

A party may request a Board member to withdraw because of a reasonable apprehension of bias.

A member may confer with other panel members before deciding whether to withdraw.

A panel from which one member has withdrawn may

- Proceed to hear the matters before it, subject to the existence of a quorum, as defined in section 458 of the Act, or
- Adjourn or make arrangements to reschedule the matter.

Test for bias

In reviewing an allegation of bias, the test to apply is whether or not an informed person, acting independently and objectively, and having thought the matter through, would have a reasonable apprehension of bias.

If anytime during or at the conclusion of a hearing a Member realizes that a potential conflict has arisen (of which the Member was not aware prior to the Hearing), the Member will immediately advise the other panel Members of the conflict and will excuse him or herself from participating in the deliberations and making the decision.

Where an objection has been raised by the attending parties or when a Member has raised the potential for conflict or bias after the hearing has been closed, the ensuing written decision will describe the objection and / or conflict, and note the selected course of action.

Pre-Hearing

When a complaint is before a Local Assessment Review Board panel, the panel Members will among themselves select a Presiding Officer. (Act s. 454.1(1)(3))

Panel Members must be available at the hearing location no less than thirty (30) minutes prior to the scheduled commencement of a hearing.

Board Member Conduct

Members may not act as professional or legal consultants in the preparation of a case to be heard by the Board.

A member shall not communicate directly or indirectly with any party, witness or representative of a party in respect of a Board proceeding, except in the presence of all parties and their representatives.

Correspondence, email, or other communication, to a member, from a party will be remitted to the clerk and the presiding officer of the panel, by the member, and shall be dealt with according to law.

Members shall not make public comment nor discuss, orally or in writing, on any aspect of a matter before the Board.

Members must demonstrate respect for the Board, the parties, representatives, witnesses, and for the hearing process itself, through their demeanor, timeliness, dress and conduct throughout the hearing.

The Presiding Officer will attempt to ensure that parties who are unrepresented by an agent or council are not unduly disadvantaged at the hearing by briefly explaining in clear and simple language the procedures to be followed during the hearing, and the relevant evidentiary procedures.

A member shall not communicate with the media regarding any Board matter and shall direct all media inquiries to the clerk of the Board.

Agenda Submissions, Records, and Recordings of the Board

For a three Member panel hearing, all parties to a complaint are required to provide six (6) copies of their information or disclosure to the Board. For a one Member panel hearing all Parties to a complaint are required to provide four (4) copies of their information or disclosure to the Board.

No original Board record or exhibit (or copies thereof), of any proceedings before the Board, may be removed without the express authorization of the Clerk of the Board.

No person other than the panel Members or the Clerk is authorized to make an audio, video, photographic or other electronic record of Board proceedings or verbatim record of Board proceedings.

During a hearing, no person may use or employ any electronic device that causes disruption to, or unacceptable distraction in, proceedings of the Board.

Post Hearing

The Presiding Officer will ensure that:

- The decision matrix is complete
- If a decision has been reserved, the Board reconvenes for deliberations and completes its decision-making within the required time;
- Files are properly organized and reviewed with regard to transitory notes which may be kept on file or removed for destruction. Any document that is part of the file is FOIPable. If a Member forgets to remove a transitory note from the file, it becomes part of the file and cannot be removed once the file is completed.

Hearings - Settlement of Complaint

If the parties reach a settlement in respect of all subject matters of a complaint, the Board may, upon the request of the parties issue a decision that includes these terms of settlement, provided that the Board is satisfied that such a decision is lawful under the Act.

Hearings - Consolidation

Where two or more complaints are pending before the Board, involving identical or similar issues or questions of fact or law, the Board may, upon consent of all parties, direct that:

- The proceedings, or part of them be consolidated; or
- Similar matters or parts be combined or heard at the same time; or
- The matters be heard immediately one after the other; or
- One or more of the matters be stayed until the determination of any one of them

Hearings - Consent Matters

Often when a complaint is filed, the specific issues are not known. This can result in a wide array of issues being listed on the complaint form. Once filed, all of the issues listed on the complaint form are considered by the Board.

Consent Matters are most often the result of the Parties discussing the complaint either in advance of disclosure or throughout the disclosure process. If the Parties are able to come to an agreement on some of the issues identified on the complaint form it will result in a Statement of Issues Not Disputed. The Statement should only include matters of pure fact that both parties accept and do not wish to elaborate on. It may be submitted to the Board in Writing or may be done verbally at the hearing.

Hearings - Adjournment

A request for a postponement or an adjournment must be in writing and contain reasons for the postponement or adjournment. The Board may not grant a postponement or

adjournment of a hearing except in exceptional circumstances. (MRAC s. 15– Postponement of Adjournment of Hearing)

Subject to the timelines specified in the MRAC, if a Board grants a postponement or adjournment, the Board must set the date, time and location for the rescheduled hearing at the time the postponement or adjournment is granted.

Hearing - Evidence

Where parties refer to legal authorities or precedents in their hearing submissions, they must produce to the Board and to all other parties' present copies of these authorities and precedents, ensuring to highlight the passages being relied on.

Boards are not bound by the rules of evidence or any other law applicable to court proceedings and have power to determine the admissibility, relevance and weight of any evidence. (Act.s. 464(1) - Proceedings before ARB).

Boards may require any person giving evidence before them to do so under oath. (Act.s. 464(2) – Proceedings before ARB). Members of Boards are commissioners for oaths while acting in their capacities. (Act. S. 464(1) – Proceedings before ARB).

Evidence that is inherently unreliable or patently irrelevant must not be given any weight in Board determinations.

A Board must not hear any matter in support of any issue, or evidence, prohibited by the Regulation. (MRAC ss. 5& 9 – Failure to Disclose).

Procedure to be Followed Regarding Identification of Bias

Any Party may request a Board Member to withdraw because of a reasonable apprehension of bias. If objection to a Member is given, the Presiding Officer will:

- Request information relative to the objection
- Recess the hearing to discuss objection
- If the Member in question does not feel that there is basis to the objection the Board will be required to make ruling

If a Member identifies that an objection may be perceived to their hearing the appeal, the Member must identify the perceived objection/conflict/bias, and

- identify whether he/she can still perform the duties required, or
- withdraw to ensure the decision will not be challenged on a question of bias, or
- the Board may make a ruling

A Member may confer with other panel Members before deciding whether to withdraw.

Following a decision on perceived objection/bias the Board reconvenes and continues with the Hearing.

A panel from which one Member has withdrawn may:

- Proceed to hear the matters before it, subject to the existence of a quorum, as defined in section 489 of the Act (Quorum), or
- Adjourn or make arrangements to reschedule the matter.

This list would be for the presiding officer to use

Conducting the Hearing

This is a list of items to be covered in a hearing of the Regional Assessment Review Board:

1. Appoint Chairman/Presiding Officer
2. Call Complainant & Respondent into the hearing
3. The Chairman/Presiding Officer calls the hearing to order (Required)
4. Opening Comments
 - The building facilities & fire exits
 - The order of the presentation
 - Advises that the proceedings are being recorded and may be used for transcription or provided upon request to the Court
5. The Chairman/Presiding Officer reads the Board's Statement of Purpose:
 - The Regional Assessment Review Board (RARB) is a quasi-judicial Board, as set out in the Municipal Government Act, which hears formal complaints filed in member municipalities regarding Notices of Assessment or Tax Notices.
 - We are not employees of any municipality. We are an impartial, independent Board appointed by a committee of member municipalities.
 - We strive to maintain assessment equity throughout the region by interpreting legislation and applying the principles of natural justice in view of the evidence presented. We strive to provide a fair hearing, using an unbiased, collaborative decision making process and provide reasoned, quality decisions.
 - Assessment Complaint:
 - i. Name of Complainant, Lot #, Block #, Plan #/legal description
 - ii. The Complaint
6. Chairman/Presiding Officer introduces Board Members, introductions of the parties and other persons in the room
 - The Chairman/Presiding Officer asks if anyone has objections to the Board Members hearing the appeal (Required)
 - ~~Any other objections~~—time, process, subject matter
7. Evidence – For a three member panel hearing, all parties to a complaint are required to provide six (6) copies of their information or disclosure to the Board. For a one Member panel hearing all parties to a complaint are required to provide four (4) copies of their information or disclosure to the Board. Distribute to the Board and give it a number to identify it for the record.
8. Oath given to the Complainant by the Clerk
9. The Board Reviews the Evidence

10. Order of Presentation

- Complainant
- Questions by the other side and then by board members
- Respondent (Assessor)
- Questions by the other side and then by board members
- Summary by complainant
- Summary by respondent (Assessor)
- Final address to respondent's summary by complainant (rebuttal only)

11. Closing Comments by the Chair

- Thank everyone for participating
- Hearing Concluded (Required)

An Assessment Review Board must, in writing, render a decision and provide reasons, including dissenting reasons,

- Within 30 days from the last day of the hearing, or
- Before the end of the taxation year to which the complaint that is the subject of the hearing applies,

Whichever is earlier.

In order to meet the 30 day period the board must make their decision within 23 days so that the clerk has 7 days to send the board's written decision.

An Application for leave to appeal must be filed with the Court of Queen's Bench within 30 days after the notification of the decision under section 469.

Assessment Review Board Hearing
Wednesday, June 15, 2013, 2:00PM
Town of Where Ever
Agenda

1. Call to order and Welcome
2. Appoint Presiding Officer
3. Assessment Complaint:
 - Name of Complaint, Lot #, Block #, Plan #/legal description
4. Order of Presentation
 - Complainant
 - Questions by the other side and then by board members
 - Respondent (Assessor)
 - Questions by the other side and then by board members
 - Summary by complainant
 - Summary by respondent(Assessor)
 - Final address to respondent's summary by complainant (rebuttal only)
5. Hearing Concluded:

The Assessment Review Board Clerk will send you a written decision of the board within 30 days. An Application for leave to appeal must be filed with the Court of Queen's Bench within 30 days after the notification of the decision under section 469.

SCHEDULE E

REGIONAL ASSESSMENT REVIEW BOARD

As required by the Regional Assessment Review Board Bylaw, the following rates for travel and honoraria have been adopted by Council resolution:

- 1) remuneration for board member travel to training and refresher training will be paid by the municipality at the rates set by each municipal member under their respective travel and remuneration policies.

- 2) remuneration for board members attending hearings will be paid as:
 - \$150.00 per hearing per day
 - \$.55 per km for travel to and from the hearing
 - \$ 17.00 per meal or \$ 51.00 per day

This Schedule has been adopted by Council and forms part of the Agreement for Regional Assessment Review Services between the Town of Manning, Town of Grimshaw, MD of Peace No. 135, Village of Berwyn and County of Northern Lights.

SCHEDULE F

**REGIONAL ASSESSMENT REVIEW BOARD
PERSONAL EXPENSE CLAIM**

NAME: _____
 MAILING ADDRESS: _____

MUNICIPALITY: _____

DATE	TIME DEP/ RET	DESCRIPTION OF TRIP/MEETING	(KMS)	MEAL			HONORARIA (\$150.00 PER DAY)
				B	L	D	
SUBTOTALS							
KMS X .55 = TOTALS							
GRAND TOTALS							

NOTE: Meals are paid at \$17.00 per meal or \$51.00 per day

_____ APPROVED

_____ DATE

_____ SIGNATURE OF CLAIMANT

_____ DATE

