



Requesting the Reinstatement of a Dismissed or Withdrawn Appeal

The Assessment Review Board (ARB) may reinstate an appeal if it was dismissed or withdrawn in error.

You may ask the ARB to reinstate an appeal if:

- You believe the ARB incorrectly withdrew, dismissed or removed an appeal due to administrative or clerical error;
- You believe the ARB violated the rules of natural justice or procedural fairness;
- The ARB dismissed an appeal when a party was unable to appear at a hearing event due to circumstances that were beyond the control of the party; or
- Notice of hearing was not provided to the parties.

Note: The ARB will deny requests that do not meet the criteria outlined above.

How do I request reinstatement of an appeal?

After the appeal is dismissed or withdrawn, you have 30 days to send your Request for Reinstatement to the ARB and provide a copy to the other parties involved.

The request should include:

- Your full name, address, telephone, fax number and email address;
- If you have a Representative, their full name, address, telephone and fax number and email address
- Your signature or your Representative's signature;
- A brief outline of the reasons for the request;
- An affidavit stating the facts relied upon to support the request; and
- Any documents that support your request.

Objections to the Reinstatement

Parties that object to the reinstatement should notify the ARB as soon as they receive a copy of the Request for Reinstatement. The ARB may seek submissions from the parties or make its decision without submissions.

What happens after I send in my request?

The ARB may find:

- There is insufficient reason to reinstate the appeal; or
- There is a reason to reinstate the appeal.

Can I appeal an ARB decision to a higher court?

A decision of the ARB may be appealed to the **Superior Court of Justice (Divisional Court)** only on a question of law. To start the appeal process, you must apply to the Court and seek leave to appeal. Parties who would like to explore this option may wish to seek legal advice.

Where can I find more information?

For more information please refer to the ARB's *Rules of Practice and Procedure* which can be found on **our website** or by calling us at (416) 212-6349 or toll free 1-866-448-2248.

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible at (416) 212-6349 or 1-866-448-2248.

Please Note

The information contained in this sheet is not intended as a substitute for legal or other advice, and in providing this information, the ARB assumes no responsibility for any errors or omissions and shall not be liable for any reliance placed on the information in this sheet. Additional information, including the ARB's *Rules of Practice and Procedure*, is available at www.elto.gov.on.ca, or by calling (416) 212-6349 or toll free 1-866-448-2248.



The **Environment and Land Tribunals Ontario (ELTO)** includes the Assessment Review Board, Board of Negotiation, Conservation Review Board, Environmental Review Tribunal, Ontario Municipal Board, Niagara Escarpment Hearing Office and the Office of Consolidated Hearings. The Tribunals operate under specific legislative requirements and share resources and best practices. The Assessment Review Board hears appeals from persons who believe there is an error in the assessed value or classification of a property and also deals with some types of property tax appeals under the Municipal Act and City of Toronto Act. For more information contact us at:

Environment and Land Tribunals Ontario
655 Bay Street, Suite 1500, Toronto, ON M5G 1E5
Telephone: (416) 212-6349 or toll free: 1-866-448-2248
Website: www.elto.gov.on.ca