



Requesting a Review of an ARB Decision

If you disagree with an Assessment Review Board (ARB) decision, you may consider requesting a review. This information sheet explains when and how you can Request a Review of a decision.

You may ask the ARB to review a decision if you believe that the ARB:

- Acted outside its jurisdiction;
- Violated the rules of natural justice or procedural fairness;
- Made a significant error of law or fact that would have resulted in the ARB making a different decision;
- Should consider new evidence that could not have been reasonably provided earlier and would have affected the decision; or
- Heard false or misleading evidence from a party or witness, which was discovered only after the hearing and would have affected the decision.

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

If you believe that your appeal was dismissed or withdrawn in error see information sheet on Requesting a Reinstatement, available [here](#).

How do I Request a Review of an ARB decision?

You must first have written reasons for the decision you are requesting the ARB to review. Written reasons outline why the decision was made.

Any party involved in the ARB matter may request written reasons for a decision. You can request the written reasons either at the hearing or by writing to the ARB within 14 days of the final hearing date. If the decision was reserved to be made at a later date by the ARB, you will automatically receive written reasons.

Once you have the written reasons for the decision, complete the Request for Review form or send a letter to the ARB to request a review of a decision within 30 days of the issue date of the written reasons. Make sure you copy all other parties when submitting your request.

The request should include:

- Your full name, address, telephone and fax number, and e-mail address
- If you are using a Representative, their full name, address, telephone and fax number and email address;
- Your signature or your Representative's signature;
- A brief outline for reasons of your request;
- What you think should be changed in the decision;
- An affidavit stating the facts that support the request;

- Supporting documents, including copies of the original decision and any new evidence that was not available at the hearing and could affect the result;
- Indicate whether you have or will submit an application for leave to appeal or for judicial review to the court; and
- A **non-refundable** filing fee paid by way of cheque or money order of \$125 payable to the Minister of Finance.

What happens after I send in my request?

The request for review of a decision will be reviewed by the Associate Chair of the ARB. The Associate Chair of the ARB may:

- Find there was no error and deny the request, in which case, the original decision will remain in effect;
- Consider that there is a possible error and order a motion hearing be scheduled to decide the request;
- Determine that there is reason to review the decision, reinstate the appeal and order a new hearing to be scheduled; or
- Change the decision.

What do I do if I receive a copy of a Request for Review from another party?

You do not have to do anything. The ARB will let you know if you should make submissions or participate in a motion or hearing.

Can I appeal an ARB decision to a higher court?

An ARB decision may be appealed to the **Superior Court of Justice (Divisional Court)** only on a question of law. Parties who would like to explore this option may wish to consult legal counsel.

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