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**PROGRESSIVE CONSTRUCTION LTD.
BLOCK BROS. CONTRACTORS LTD.
HOMASA CAPITAL INC. and
DRAMBURY HOLDINGS LTD.**

v.

ASSESSOR OF AREA 11 - RICHMOND-DELTA

Supreme Court of British Columbia (C830983) Vancouver Registry

Before: CHIEF JUSTICE ALLAN MCEACHERN

Vancouver, September 30, 1983

S. Bradley Armstrong for the Appellants
J.E.D. Savage for the Respondent

Reasons for Judgment (Oral)

November 4, 1983

The questions on which the opinion of the Court was sought are as follows:

1. Did the Assessment Appeal Board err in law in failing to find that the Subject Property is within the Residential Class, as being land having no present use and which is neither specifically zoned nor held for business, commercial, forestry or industrial purposes?
2. Was there any evidence before the Board upon which to base a finding that the Subject Property fell within Class 6, business and other?

The Court answered the questions as follows:

Question 1. "No".

Question 2. "Yes".

No written reasons were given.