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ASSESSOR OF AREA 12 - COQUITLAM

v.

SPORTS CAR CLUB OF B.C.

Supreme Court of British Columbia (A852722) Vancouver Registry

Before: MR. JUSTICE T.A. DOHM (In Chambers)

Vancouver, February 21, 1986

J.K. Greenwood for the Appellant
R.G. Kuhn for the Respondent

Reasons for Judgment (Oral)

March 18, 1986

This court orders that the questions in the Stated Case be answered as follows:

1. Did the Board err in law in holding that it was estopped from considering the same facts that were considered by an earlier Assessment Appeal Board?

Yes.

2. Did the Board err in law in holding that it had a discretion to refuse to hear the appeal before it?

Yes.

3. If the Board had a discretion to refuse to hear the appeal before it, did the Board exercise its discretion improperly and thereby err in law?

Not necessary to answer, in view of the answer to question 2.

4. In light of the answers to the first two questions, did the Board improperly exercise its discretion with respect to costs and thereby err in law?

Yes.

And this court further orders that costs of this appeal be paid to the respondent, limited to \$200.00.