

APPEALS COMMISSION

MR. RON BELL
COMMISSIONER

- Former mayor of Birtle, Manitoba
- Past president of the Association of Manitoba Municipalities

Notice of Appeal

- Must be filed in writing by registered mail by March 15, 2012 or within 60 days of receiving the Program payment notification
- a) the name and address of the Appellant(s);
- b) a copy of the Flood 2011: Building and Recovery Action Plan **final** settlement that is subject to appeal;
- c) a statement of the matter being appealed and why you disagree with it; and
- d) the results that are being requested

Hearings

- Hearings shall not be open to the public, but a panel may allow a hearing to be open to the public with the consent of the Parties. Notice must be given if experts will testify before the commission.
- Notice of the scheduled hearing shall be sent to the Appellant and Respondent by "registered" mail.

- Hearings shall be held in Winnipeg. The Flood 2011: Appeal Commissioner will consider requests for alternate locations.
- Any written material to be submitted for consideration at the hearing shall be filed at least 10 working days prior to the hearing to the Flood 2011: Appeals Commission. The Flood 2011: Appeal Commission will then forward copies to both Parties.

Hearing Procedure

- All parties to a hearing shall have full opportunity not only to bring forward evidence and present argument, but also to question representatives providing information on behalf of other parties.
- The Commission may inspect any premises, which are the subject of a hearing.
- Evidence at a hearing shall be taken under oath or affirmation or any other manner that the Commission considers appropriate.

Dismissal for Non-attendance

- When Notice of Hearing is given and should the Appellant fail to appear, without just cause at the scheduled date, time and place of the hearing, the Flood 2011: Appeal Commission may dismiss the appeal without conducting a hearing.

Adjournment

- The Appeals Commission may adjourn the hearing for such time and upon such terms and conditions as the Appeals Commission considers necessary or advisable.
- **Postponement**
 - To request a postponement of a hearing, a party may submit such a request with reasons for the request in writing, at least 10 working days before the date of the hearing.
- **Decision of Panel**
 - The Panel shall provide a written decision to both parties within 4 -6 weeks after the hearing.

AUTHORITY

- The decision of the panel is deemed final for the Provincial Government.
- The decision of the commission does not limit the right of the appellant to litigate.

Contact

Flood 2011: Building and Recovery Action
Plan Appeals Commission

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