



DIRECTIONS REGARDING A REQUEST FOR A BOARD ORDER ISSUED PURSUANT TO SECTION 53(5) OF THE ASSESSMENT ACT (“ACT”)

(Disponible en français)

Parties to ARB appeals may request that the Board order MPAC to disclose information about properties other than the properties under appeal (“Other Properties”). The Board may issue an order pursuant to s. 53(5) of the Act requiring disclosure of information at its discretion.

NOTICE TO OTHER PROPERTY OWNERS/TENANTS

Before making a request to the Board, the Requesting Party must serve notice of the request on the owners and/or tenants of the Other Properties (“Other Property Owners/Tenants”). This notice shall include:

1. A description of the information being requested.
2. A description of any terms imposed by MPAC respecting the disclosure (e.g. restrictions on use of the information, non-disclosure agreements) and copies of any related agreements.
3. The Requesting Party’s contact information (including representative name, telephone number, email and complete mailing address).
4. A statement that the Other Property Owner/Tenant must notify the Requesting Party, within 14 days of the effective service date of the notice, whether the Other Property Owner/Tenant consents to or opposes the disclosure; and if no response is provided, the Owner/Tenant will be deemed not to oppose the request.
5. A statement that any Other Property Owner/Tenant who opposes the request must provide the Requesting Party with the name and full contact information (that must include an email address) of its representative which will be forwarded to the Board.
6. A statement that, if the Other Property Owner/Tenant opposes the request, the Board will email directions to the Other Property Owner/Tenant’s representative to hear its submissions in opposition to the disclosure request.
7. A statement that the Board’s Order, once issued, will be published on an online legal reporting service provided by the [Canadian Legal Information Institute | CanLII](#)

ALL REQUESTS – BOTH OPPOSED AND UNOPPOSED BY THE PARTIES OR ANY OTHER PROPERTY OWNERS/TENANTS

The Board may issue an order pursuant to s. 53(5) of the Act at its discretion requiring MPAC to disclose the requested information. The Requesting Party shall request an order by submitting:

1. An Expedited Board Directions Form requesting that the Board issue a consent order pursuant to s. 53 of the Act.
2. A sworn affidavit stating:
 - the dates on which the required notice was served on each of the Other Property Owners/Tenants, and that the notice complied with the Board's requirements outlined above;
 - confirmation that none of the Other Property Owners/Tenants has communicated opposition to the disclosure request within the 14-day timeframe **OR** advise that some of the Other Property Owners/Tenants have communicated opposition to the disclosure request within the 14-day timeframe; and,
 - confirmation that none of the parties to the appeal proceeding communicated opposition to the disclosure request within the 14-day timeframe **OR** advise that some of the parties to the appeals have communicated opposition to the disclosure request within the 14-day timeframe.
3. Two lists, which will be attached to the Order issued by the Board:
 - Attachment 1 – List of Other Properties
 - Attachment 2 – List of Requested Documents

The Requesting Party must complete these lists on the template that is attached to this Direction and submit them to the Board **in Microsoft Word format**.

4. A copy of the Notice provided to the Other Property Owners, including, in particular, the description of any terms imposed by MPAC respecting the disclosure (e.g. restrictions on use of the information, non-disclosure agreements) and copies of any related agreements.

ADDITIONAL REQUIREMENTS WHERE A REQUEST IS OPPOSED BY ANY OF THE PARTIES OR OTHER PROPERTY OWNERS/TENANTS

Where a request for disclosure is opposed by some Other Property Owners/Tenants, and/or any party to the proceeding, the Board will determine whether a written motion hearing is required. Alternatively, the Board may request submissions from the Other Property Owners/Tenants submitted by email. Where submissions are received, the Board will give directions for filing response submissions, if the Board decides that response submissions are necessary.

Regarding the Other Property Owners/Tenants who oppose the request:

The Requesting Party shall provide the Board with the following information:

1. The names and full contact information for each of the Other Property Owners/Tenants and/or parties who oppose the disclosure request (including representative name, telephone number, email and complete mailing address).

*This information is to be submitted, in **Microsoft Word format**, in the template named Attachment 3 – List of Other Property Owners/Tenants who oppose the Request, which is attached to this Direction; and,*

2. Confirmation that none of the remaining Other Property Owners/Tenants oppose the request.

Attachment 1 – List of Other Properties

Municipal Address	Assessment Roll No. (e.g. 1234-567-890-12345-0000)
1.	
2.	
3.	
4.	
5.	
6.	
7.	
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11.	
12.	
13.	
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15.	

Attachment 2 – List of Requested Documents

1.	
2.	
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11.	

12.	
13.	
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15.	

Attachment 3

Other Property Owners/Tenants and/or Parties Who Oppose the Request

Other Property Municipal Address	Other Property Owners/Tenants Who Oppose	Representative
1.	Company Name/Name: Address: City/Town: Postal Code: Email: Telephone:	Company Name/Name: Address: City/Town: Postal Code: Email: Telephone:
2.	Company Name/Name: Address: City/Town: Postal Code: Email: Telephone:	Company Name/Name: Address: City/Town: Postal Code: Email: Telephone:
3.	Company Name/Name: Address: City/Town: Postal Code: Email: Telephone:	Company Name/Name: Address: City/Town: Postal Code: Email: Telephone:
4.	Company Name/Name: Address: City/Town: Postal Code: Email: Telephone:	Company Name/Name: Address: City/Town: Postal Code: Email: Telephone:
5.	Company Name/Name: Address: City/Town: Postal Code: Email: Telephone:	Company Name/Name: Address: City/Town: Postal Code: Email: Telephone: