

CIVIL PRACTICE DIRECTIVE NO. 10
PROPERTY ASSESSMENT APPEALS

Effective March 28, 2025

Application of Practice Directive

1 This Practice Directive applies to all appeals against orders, decisions and determinations of the Assessment Appeals Committee of the Saskatchewan Municipal Board [Committee] commenced pursuant to s. 33.1 of *The Municipal Board Act* [Act]. It recognizes that:

- (a) the Committee transmits a complete, electronic copy of the record of its proceedings to the Court of Appeal when a party seeks leave to appeal against an order, decision or determination of the Committee, which record is before the Court when such an appeal is heard;
- (b) s. 33.2(2)(a) of the *Act* provides that, for the purposes of any appeal pursuant to s. 33.1, an order granting leave to appeal is deemed to be a notice of appeal; and
- (c) s. 33.2(3) of the *Act* provides that, subject to ss. 33.1, 33.2 and 33.3, *The Court of Appeal Rules* [Rules] apply, with necessary modification, to an appeal pursuant to s. 33.1 as if it were an appeal from a judge of the Court of King's Bench, but an appeal book is not required.

Application for Leave to Appeal Process

2 In addition to the requirements set out in Rule 49(b) of the *Rules*, an application for leave to appeal filed in accordance with s. 33.2(1) of the *Act* shall be supported by:

- (a) a draft comprehensive index to the appellant's condensed appeal record; and
- (b) a draft order, in the form attached to this Practice Directive, specifying the questions of law or jurisdiction in respect of which leave to appeal is requested and the relief the prospective appellant is asking the Court to grant.

3 Where an application for leave to appeal is granted, the appellant shall serve on the respondent and then file with the Court, along with proof of service:

- (a) a draft of the order granting such leave to appeal, in accordance with Rule 57.1 of the *Rules*; and
- (b) thereafter, the issued order granting leave to appeal within 15 days after the date that the decision granting leave to appeal is rendered, in accordance with s. 33.2 of the *Act*.

Appellant's Condensed Appeal Record

4 Subject to s. 7, at the same time as the appellant's factum is served and filed, the appellant shall serve and file a condensed appeal record, which shall only contain the following material in the following order:

- (a) a comprehensive index of the documents contained within it, with reference to the page in the condensed appeal record where each document is reproduced and cross-referenced to the page in the electronic copy of the record of the proceedings filed by the Committee with the Court where each document can be found;
- (b) the decisions of the board of revision and the Committee;
- (c) the notices of appeal filed with the board of revision and the Committee;
- (d) the table of contents included at the beginning of the Committee's record of proceedings;
- (e) those portions of the record before the board of revision and the Committee that the appellant intends to refer to during the appeal hearing; and
- (f) the issued order granting leave to appeal.

Respondent's Condensed Appeal Record

5 A party responding to an appeal may serve and file a condensed appeal record that includes only the material from the record to which the respondent intends to refer, and which is not reproduced in the appellant's condensed appeal record, at the same time as the respondent's factum is served and filed.

6. A respondent's condensed appeal record shall include a comprehensive index of the documents contained within it, with reference to the page in the condensed appeal record where each document is reproduced and cross-referenced to the page in the electronic copy of the record of the proceedings filed by the Committee with the Court where each document may be found.

Joint Condensed Appeal Record

7. Nothing in section 4 or 5 precludes the parties from filing a joint condensed appeal record, in lieu of the appellant's condensed appeal record, provided that it includes the material outlined in s. 4.

NOTE: This Practice Directive is issued by the Court under the authority of *The Court of Appeal Act, 2000* and Rule 74 of *The Court of Appeal Rules*.

Amy Groothuis, Registrar,
Court of Appeal for Saskatchewan

IN THE COURT OF APPEAL FOR SASKATCHEWAN

BETWEEN:

Prospective Appellant
(insert status at Committee)

AND:

Prospective Respondent
(insert status at Committee)

BEFORE THE HONOURABLE
JUSTICE

}

IN CHAMBERS:

(date)

DRAFT ORDER

ON THE APPLICATION of the Prospective Appellant and having read the notice of application with proof of service, the decision of the Assessment Appeals Committee of the Saskatchewan Municipal Board, together with such other material as was filed in support of the application, and having regard for the submissions made on behalf of the parties:

It is hereby ordered that:

1. The Prospective Appellant be granted leave to appeal from the decision of the Assessment Appeals Committee of the Saskatchewan Municipal Board dated [date], in relation to Appeals [AAC-year-file number], on the following questions and seeking the following relief:
 - a. Questions:
 - i. [Set out the questions of law or jurisdiction on which leave to appeal is requested, in numbered paragraphs]
 - b. Relief requested:
 - i. [Set out the relief that the prospective appellant is asking the Court to grant, in numbered paragraphs].

2. Pursuant to Rule 52 of *The Court of Appeal Rules*, the costs of this application shall be (*insert cost order requested*).

ISSUED at _____, Saskatchewan, on _____.
(date)

Pursuant to Civil Practice Directive No. 10, the Appellant is required to serve this order on the Respondent within fifteen (15) days after the date that the decision granting leave to appeal is rendered, and once filed the issued order is deemed to be the notice of appeal.

Registrar, Court of Appeal

TO: Prospective Respondent

TO: REGISTRAR
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REGINA, SASKATCHEWAN
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THIS DOCUMENT IS FILED BY:

Law Firm (*if any*): _____

Lawyer in charge of the file (*if any*): _____

Name of self-represented individual (*if any*): _____

Address for service: _____

(*office address for represented individual, or, residential or business address for self-represented individual*)

Telephone: _____

Email address: _____

Fax number (*if any*): _____