

# COMMUNITY CARE AND ASSISTED LIVING APPEAL BOARD

## HOW TO START AN APPEAL

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***Please Note:***

This information sheet provides an overview of the process for commencing an appeal under the *Community Care and Assisted Living Act*. This information sheet is not intended as a substitute for the *Act* or the tribunal's **Rules** of Practice and Procedure. This information sheet guide is not legal advice. If you have legal questions, you should see a lawyer.

To start an appeal, the appellant must deliver a notice of appeal to the Board and serve a copy of it on the respondent. The notice of appeal must be delivered to the Board and the other party within 30 days of receiving notification of a decision to be appealed under section 29(2) of the *Community Care and Assisted Living Act*.

There is no special form for the notice of appeal but it must be in writing and it must include the following:

- (a) contain all the appellant's contact information, including the full name, current postal address in BC, telephone number and fax or email addresses (if any),
- (b) identify the decision being appealed, the person who made the decision, the date of the decision and the date that the appellant was notified of the decision,
- (c) include a copy of the decision being appealed,
- (d) state why the appellant believes the decision should be changed and what outcome is requested, and
- (e) be signed by the appellant (or the appellant's lawyer or agent).

The notice of appeal may be delivered to the Board office by hand, mail, courier or by fax.

If you are using fax to deliver your notice of appeal you must include a cover page with sufficient information to identify the sender, recipient, number of pages sent, date and time of transmission and a telephone number to call if there are transmission problems.

The Board's office hours are 8:30am – 4:30 pm, Monday through Friday, excluding public holidays. A document that is received in the Board office after regular hours of operation is deemed delivered on the next day that the Board office is open.

All documents that are delivered to the Board must also be delivered to the person whose decision is being appealed and any other participants to the appeal.