

# COMMUNITY CARE AND ASSISTED LIVING APPEAL BOARD

## REQUESTING A SITE VISIT

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Most hearings are conducted at a place in the same city as the facility that is the subject of the appeal but the hearing panel would not normally visit or see the facility in person in the usual course of a hearing.

However, prior to or during a hearing the Board may in some circumstances, either on its own initiative or at the request of a party, schedule a site visit to the facility as part of the hearing process.

If a party wishes to schedule a site visit, the request should be made as early as possible because additional time in the hearing schedule may be required to accommodate the visit. If the site visit will be on private property not owned by the appellant, the party requesting the site visit must ensure that the property owner consents to the site visit.

A request for the panel to make a site visit during a hearing should be made in writing, prior to the start of the hearing, with a copy of the request delivered to the other party as well as the Board office. Reasons for the site visit should also be included in the request.

The purpose of a site visit is to provide the panel with the opportunity to see the facility that is the subject of the appeal, learn more about the issues in the appeal and better understand the evidence. The purpose is not to gather evidence.

The panel's observations during a site visit are not evidence. A site visit is not to be used as a fact-finding expedition, and new evidence will normally not be accepted, unless in accordance with the rules of procedural fairness and in the presence of the official recorder.

Some examples of when a site visit has been done in the past include situations where viewing the location of the facility would provide a context for issues around safety for children walking to off site playground facilities or school in order to show the routes taken, distances and traffic patterns or to view the nearby hazards and the type, height and state of repair of fencing around an outdoor play space that is alleged to be inadequate, or viewing the layout of an adult care facility room where the issues on appeal revolve around the size and configuration of the space.

Prior to a site visit, the panel and parties will agree upon the date and time of the visit and how the visit will proceed. Normally, the site visit will not be conducted unless all parties to the appeal and all members of the panel hearing the appeal are present and transportation arrangements will ensure that the Panel travels separately from either of the parties.