

Community Care And Assisted Living Appeal Board
Community Care and Assisted Living Act,
SBC 2002, c. 75

APPELLANT: NV, Applicant for a family child care licence

RESPONDENT: Dr. John Blatherwick, Chief Medical Health
Officer, Vancouver Coastal Health Authority

PANEL: Susan E. Ross, Chair

DECISION TO DISMISS APPEAL

[1] On December 14, 2004, the appellant, through counsel, delivered a notice of appeal of the respondent's November 15, 2004 decision to refuse to grant the appellant's application for a licence to operate a family child care facility. On January 18, 2005 the respondent delivered the licensing record and on January 19, 2005 counsel for the appellant withdrew, advising that the appellant would contact the Board directly with respect to the further conduct of the appeal.

[2] The appellant failed to respond meaningfully to Board communications concerning the processing of the appeal, including Board requests for confirmation of the appellant's intention to proceed with the appeal.

[3] On March 31 and April 26, 2005 the Board issued notices of intention to dismiss the appeal under section 31(1)(e) of the *Administrative Tribunals Act*, SBC 2003, c. 45 on the ground that the appeal was not being diligently pursued by the appellant and extended to the appellant an opportunity to respond and be heard regarding the notice of intention to dismiss. The appellant provided no response.

[4] The appellant has failed to diligently pursue this appeal. It is therefore dismissed under section 31(1)(e) of the *Administrative Tribunals Act*.

May 9, 2005

Susan E. Ross, Chair