



March 18, 2014

File: PCAA #14-02

DELIVERED BY EMAIL

Wendye Lowden
[REDACTED]

Dear Ms. Lowden:

MARCH 12, 2014 DECISION OF THE BC SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (BC SPCA) REGARDING THE SEIZURE OF THREE HORSES

On Friday, March 14, 2014, you contacted the BC Farm Industry Review Board (BCFIRB) and spoke with Surinder Basi, Board Services Coordinator advising that you had received the above captioned decision from the BCSPCA on March 12, 2014 and were interested in appealing it. On the same day, you emailed BCFIRB but did not attach the above captioned decision. Given that appeals are time sensitive and the time for filing your appeal runs from the date you received the decision, Ms. Basi sent you the following email on March 14, 2014:

Thank you for the email. There was no attachment with the email you sent to BCFIRB.

In order to file an appeal with BCFIRB, you need to:

- 1. Send BCFIRB something in writing stating you are appealing the BCSPCA decision. BCFIRB MUST receive your application BEFORE: 4:30pm Monday March 17, 2014.**
 - You should include: Your contact information, a brief description of the BCSPCA decision or a copy of the BCSPCA decision, why you think the BCSPCA decision should be changed, and the outcome you want.
 - You can use: Email (firb@gov.bc.ca); OR Courier (BCFIRB, Attn Executive Director, 780 Blanshard Street, Victoria, BC V8W 2H1); OR Fax (250-356-5131). We do not recommend using Mail given the deadline.

- 2. Send a \$100 fee payable by cheque or money order to the Ministry of Finance. BCFIRB MUST receive your fee BEFORE: 4:30pm Wednesday March 19, 2014**

**British Columbia
Farm Industry Review Board**

Mailing Address:
PO Box 9129 Stn Prov Govt
Victoria BC V8W 9B5
Telephone: 250 356-8945
Facsimile: 250 356-5131

Location:
780 Blanshard St
Victoria BC V8W 2H1
Email: firb@gov.bc.ca
Website: www.firb.gov.bc.ca

- You can use: Courier (BCFIRB, Attn Executive Director, 780 Blanshard Street, Victoria, BC V8W 2H1) OR Mail (BCFIRB, Attn Executive Director, PO Box 9129 Stn Prov Govt, Victoria, BC V8W 9B5)

3. Send a copy of your appeal (what you sent BCFIRB in writing in #1) to the BCSPCA immediately.

- You can use: Email (mmoriarty@spca.bc.ca) OR Courier (1245 East 7th Avenue, Vancouver, BC V5T 1R1, attn: Chief Prevention and Enforcement Officer); OR Fax (604-681-7022; attn: Chief Prevention and Enforcement Officer); OR Mail (1245 East 7th Avenue, Vancouver, BC V5T 1R1, attn: Chief Prevention and Enforcement Officer);

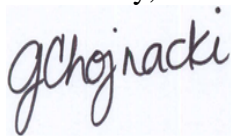
APPEALS MUST be made in writing AND be received by BCFIRB within these deadlines. Under *the Prevention of Cruelty to Animals Act*, BCFIRB cannot accept appeals submitted outside of the time limits.

BCFIRB received emails from you at 10:10 pm and 10:15 pm March 17, 2014 confirming your intention to appeal the March 12, 2014 decision of the BC SPCA.

Under the *Prevention of Cruelty to Animals Act (PCAA)*, a person aggrieved by a seizure decision of the BC SPCA may appeal to BCFIRB. Section 20.3(2)(b) of the *PCAA* requires appeals from BC SPCA decisions such as the March 12, 2014 decision to be filed, complete with filing fee, within four days of the decision being received. There is no provision under the *PCAA* to extend the filing time for appeals.

Given that BCFIRB did not receive your Notice of Appeal within the required statutory time period (before 4:30pm Monday March 17, 2014), we are unable to accept your appeal for filing. If a filing fee is received by this office, we will return it to you.

Yours truly,



Gloria Chojnacki
Case Manager

cc: Marcie Moriarty
Chief Prevention and Enforcement Officer
BC Society for the Prevention of Cruelty to Animals