



March 29, 2018

File: P1804

**DELIVERED BY EMAIL**

Zsazsa Stiasny

Via email: [zstiasny@gmail.com](mailto:zstiasny@gmail.com)

Dear Ms. Stiasny:

**March 20, 2018 DECISION OF THE BC SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (BC SPCA) REGARDING THE SEIZURE OF ONE HORSE**

Under the *Prevention of Cruelty to Animals Act (PCAA)*, a person aggrieved by a seizure decision of the BC SPCA may appeal to the BC Farm Industry Review Board (BCFIRB).

The BC SPCA issued a decision on March 20, 2018 which advised you of your right to appeal to BCFIRB, it was noted that “the appeal is time sensitive” and provided BCFIRB telephone and email contact information.

Section 20.3(2)(b) of the *PCAA* requires appeals from BC SPCA review decisions such as the above captioned March 20, 2018 decision to be filed, within four days of the decision. In the interest of timeliness in addressing animal welfare issues, there is no provision under the *PCAA* to extend the filing time for appeals. Therefore your appeal would have had to be filed with BCFIRB no later than **4:30 pm on Monday, March 26, 2018.**

The first communication that BCFIRB received from you was a telephone call after 4:00 pm on Tuesday, March 27, 2018. Subsequently BCFIRB received the following emails:

On Tue, Mar 27, 2018, 7:42 PM DBLZ Stiasny <[zstiasny@gmail.com](mailto:zstiasny@gmail.com)> wrote:  
To whom it may concern:

I called in today to ask for a short extension to allow me to dispute decision from Ms. Moriarty to not return a horse by the name of Jazzy. I had no communication available for 3 days as I completely shattered my and unable to replace it immediately as well as our internet was down. After rereading the decision letter she today I saw that she stated 4 days which I have regretfully superseded.

The reason for my dispute is that I stongly feel that they did not follow due process at the time of the seizure. I have been through this once before and I am pretty sure that my lawyer had requested and extension so I sincerely hope I can get the same courtesy extended at this time.

Regards

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**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](mailto:firb@gov.bc.ca)  
Website: [www.firb.gov.bc.ca](http://www.firb.gov.bc.ca)

ZsaZsa Stiasny  
[413-239-9979](tel:413-239-9979)

**From:** DBLZ Stiasny [<mailto:zstiasny@gmail.com>]  
**Sent:** Wednesday, March 28, 2018 12:21 PM  
**To:** FIRB AGRI:EX  
**Subject:** Re: extension to file a dispute re the SPCA

Good afternoon I submitted a letter yesterday requesting an extension to file a dispute with the SPCA I know that this is time sensitive which is why I'm following up find out the possibility of getting that extension so that I can follow up immediately your earliest response would be greatly appreciated as I am greatly concerned as to the Future well-being of this horse she is chronically lame with arthritis we have been looking after her now for 6 years and would hate to see her go to slaughter as it is in the right to the SPCA to do so

The earliest response would be greatly appreciated thank you

Regards  
Zsazsa Stiasny

In response to your request, BCIRB asked the Society to confirm when you received the subject decision, they have provided the following 3 emails:

**From:** Louise Lathey [<mailto:llathey@spca.bc.ca>]  
**Sent:** Tuesday, March 20, 2018 2:38 PM  
**To:** zstiasny@gmail.com  
**Cc:** Marcie Moriarty  
**Subject:** Decision letter - Time sensitive  
**Importance:** High

Ms. Stiasny,

Please find attached.

Regards,

**Louise Lathey**  
**Seized Animal Liaison Administrator**  
**Prevention and Enforcement**  
**BCSPCA**  
1245 East 7th Avenue  
Vancouver BC V5T 1R1  
Office: 604 681 7271 ext. 1455  
Cruelty Hotline: 1.855.622.7722  
[llathey@spca.bc.ca](mailto:llathey@spca.bc.ca) • [spca.bc.ca](http://spca.bc.ca)

**From:** zstiasny@gmail.com [<mailto:zstiasny@gmail.com>]  
**Sent:** Tuesday, March 20, 2018 4:10 PM  
**To:** Louise Lathey  
**Subject:** Read:Decision letter - Time sensitive

Read receipt  
- Receiver: [llathey@spca.bc.ca](mailto:llathey@spca.bc.ca)  
- Title: Decision letter - Time sensitive

- Sent time: Tue, Mar 20, 2018 2:37 PM  
- Read time: Tue, Mar 20, 2018 4:09 PM (GMT--8:00)

**From:** zstiasny@gmail.com [mailto:zstiasny@gmail.com]  
**Sent:** Tuesday, March 20, 2018 5:02 PM  
**To:** Louise Lathey  
**Cc:** Marcie Moriarty  
**Subject:** Re: Decision letter - Time sensitive  
**Importance:** High

I have reviewed your documentation and will be replying with a rebuttal. I will be taking an appeal up with the Board.

Regards  
ZsaZsa Stiasny

Given that you received the Society's decision letter on March 20, 2018 your appeal had to be received by 4:30 pm on Monday, March 26, 2018. As the Notice of Appeal was not received within the required statutory time period (before 4:30 pm Monday, March 26, 2018), BCFIRB is unable to accept your appeal for filing.

Yours truly,



Kirsten Pedersen  
Executive Director/Registrar

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