Land-Use Adjudication in Canada's Capital:

An analysis of Ontario Municipal Board decisions affecting the preservation and development of "greenspace" in Ottawa

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Greenspace Alliance of Canada's Capital

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The Ontario Municipal Board is an adjudicative tribunal which hears appeals brought forth under certain provincial legislation. The majority of appeals heard by the Board arise under the *Planning Act*, as well as subsequent planning documents such as Provincial Policy Statements and municipal Official Plans. The OMB has existed in various forms since 1906, carrying with it an evolving mandate which, according to Environment & Land Tribunals Ontario, has "evolved to that of an appeal board that is required to make decisions that conform to provincial plans and are consistent with provincial policy statements" ("About the OMB").

The OMB has also been the subject of much debate, as citizens, activists, city councils, and many others have voiced concerns that OMB adjudication is inconsistent with its mandate, and often times acting in the manner of a trial court, rather than an appeal board. Through hearing evidence which has not been brought forth to Council or municipal authorities, and by administering decisions based largely on evidence of expert witnesses rather than relevant provincial or municipal policies, the OMB is often believed to be overstepping its adjudicative role, and making decisions which should be referred back to municipal authorities. The following analysis of Ontario Municipal Board decisions seeks to confirm or deny such claims, uncovering the true nature of OMB adjudication, and whether reform of the OMB mandate or operating procedures is necessary to ensure continued progress in good land-use planning throughout Ontario.

Our research focuses on OMB decisions affecting "greenspace" within the municipal boundaries of the City of Ottawa, as currently defined. This included, *inter alia*, agricultural land, natural heritage land, wetlands, woodlands, and the expansion of urban boundaries. Our research question read as follows:

As a binding board of appeal for city planning, development, zoning, and other municipal disputes, how have the decisions of the Ontario Municipal Board affected the conservation and responsible development of "greenspace" in and around the City of Ottawa? Moreover, has the will of the Ontario Municipal Board overriding that of the City Council and other municipal authorities had a positive or negative impact on said greenspace?

Our hypothesis read as follows:

The Ontario Municipal Board is influenced by developers and other interested parties, often causing a favouritism of development. It acts more as a trial court, overruling Council decisions based on expert opinion, rather than relevant policy and legislation, in addition to often issuing final rulings on matters, rather than referring them back to Council. As such, an analysis of OMB decisions affecting greenspace in and around Ottawa will reveal that the OMB oversteps the will of elected City officials and municipal authorities, and has a negative impact on the conservation and responsible development of greenspace in and around Ottawa.

The first part of this hypothesis was seemingly correct in stating that the OMB is influenced by developers, which causes it to adjudicate based on expert opinion rather than relevant policy and legislation. However, it proved to be overly broad and partially incorrect, as the OMB was not found to favour development in all forms. The hypothesis that, even in the face of new evidence, the OMB does not refer decisions back to municipal authorities to consider such evidence, proved to be correct. Whereas we cannot make a blanket statement on this matter, as undoubtedly this has occurred on occasion, our research revealed no examples of such practice. As for the third element of our hypothesis, we found that this statement cannot be

supported, as it is too broad in assuming a negative impact on “greenspace.” Rather, we found that the OMB often does make decisions which, whether in concurrence with or against municipal authorities, do protect “greenspace.” However, our findings reveal that the OMB is more likely to rule against municipal authorities, and with negative impacts on “greenspace,” as large scale development is on appeal, and the presence of developers is increased.

Methodology

Our research was conducted using the Environment & Land Tribunals Ontario website’s “E-Decisions” (http://elto.gov.on.ca/omb/e-decisions-omb/), wherein Ontario Municipal Board decisions and orders from 2001 to present are made available through searching key words or case numbers. The following searches were conducted:

- “Ottawa” and “Official Plan” and “Natural Heritage”
- “Ottawa” and “Zoning By-Law” and “Natural Heritage”
- “Ottawa” and “Plan of Sub-division”
- “Ottawa” and “Committee of Adjustment”
- “Ottawa” and “Agriculture”
- “Ottawa” and “Official Plan” and “Wetland”

This provided a total of 358 results. These results were filtered as follows:

- Those whose content is not, or is minimally related to the development or conservation of “greenspace” in the Ottawa region are excluded
- Preliminary decisions which have not yet resolved the dispute are excluded

- Decisions on the OPA76 appeals were not included (rationale for this to be explained)
- Decisions were limited to issue dates between Jan 1, 2001 and the present

Whereas several results were duplicate cases, and several were not relevant to the conservation or development of "greenspace," the resulting relevant cases were numbered at 23. While there are undoubtedly more relevant cases which did not appear within our search criteria, we believe that the analysis of these 23 cases is sufficient to determine the manner of OMB adjudication regarding "greenspace" in the City of Ottawa. The primary focus of our analysis was as follows:

- whether OMB decisions favour Council, municipal authorities, citizens, or developers;
- whether OMB decisions conserve or allow for development of "greenspace;"
- the frequency of the OMB overturning/ordering Official Plan Amendments, and their effects on "greenspace;"
- the manner of adjudication (Trial Court vs. Court of Appeal) – whether Board members primarily consult provisions of the Planning Act, Provincial Policy Statements, or Official Plans in making their rulings, or if they refer more to evidence and argument of expert witnesses, as would be seen more in trial courts; and,
- how often does the OMB overturn a Council decision and send the matter back to Council to determine a new decision in accordance with policy/legislation, rather than making a final determination on its own accord.

Quantitative Results

In terms of effect on "greenspace," the results were almost split down the middle, with 12 decisions having a negative impact, and 11 decisions having a positive impact. Many of these decisions were in regard to agricultural land, with a total of 13 such cases, but also with 6 regarding wetlands, 1 severance in a rural area, 1 regarding a natural environment area, and 1 regarding a former industrial area which was to be transformed, *inter alia*, into areas of open space. Of these decisions, 11 were appeals from citizens, 5 were appeals by the City of Committee of Adjustment decisions, 4 were appeals by developers, and 4 were appeals by NGOs (this totals 24, however one case had an appeal both from the City and from a citizen dealt with in one decision). The success of appeals to the OMB was largest among developers, with 4 successful appeals, followed by 3 successful appeals by citizens, and 2 by the City. Contrastingly, the number of lost appeals was 8 by citizens, 4 by NGOs, and 3 by the City, with no lost appeals by developers.

Qualitative Results & Analysis

The first major conclusion derived from these results was that the OMB, while not exclusively favouring development and siding with developers, seems to adjudicate differently in the face of large scale development, and heavy involvement of developers and their retained expert witnesses. As such, the larger the development proposal, the more frequently we observed the OMB to favour development. The Board members would work their way through evidence and reach a decision which strays from a strict application of the relevant policies, choosing

rather to give expert opinions more weight. This is seen clearly in OMB Case Number PL141313, a 2015 appeal by South Barrhaven Development Corp, et al. for re-designation of 124 hectares of land from “Agricultural Resource” to “General Rural”, allowing far greater leniency for future development.

Herein, the Board member takes little note of relevant policies, choosing rather to accept the expert opinions retained by the appellant developers. However, the possibility for bias is great in this case, as one expert – Mr. Colville – was “retained by the Appellants to prepare an agricultural impact assessment (AIA) to determine the class of soils present on the subject lands and to assess the potential impacts on agricultural lands as a result of the proposed re-designation” (*South Barrhaven Development Corp. et Al v. Ottawa (City)* OMB Case No. PL141313, para. 12), and the other expert witness for the appellants – Ms. Sweet – provided a planning analysis which “relies on the ‘Agricultural Impact Assessment’ (“AIA”) carried out by the agrologist/pedologist Mr. Cloville [sic]” (para. 11). Thus, the Board in reaching its conclusion is basing its decision on two expert opinions which essentially provide the same evidence, and were retained by developers to prepare. The Board member also bases part of his reasoning on the opinion that the City had not been moving forward with a review of the LEAR system (a system for grading soil quality), stating that “landowners cannot be expected to wait forever for re-designation of their lands where they have done their assessments outside of [the] City’s LEAR review” (para. 26).

However, according to the definition of “Prime Agricultural Area” in the 2005 Provincial Policy Statement, “*Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system

approved by the Province" (*Provincial Policy Statement*, 2005). Thus, classifying soil quality and land designation is seemingly intended to remain the product of land evaluation systems such as the LEAR, allowing the municipality to designate land according to its will and with its own unbiased analysis. There is no evidence provided to show that Mr. Colville's Agricultural Impact Assessment constitutes an agricultural land evaluation system which is *approved by the Province*. The Board member neglects this, choosing rather to accept Mr. Colville's assessment, and rule in favour of the developers. This example clearly demonstrates the willingness of the Board to forgo relevant policies and provincial/municipal practices, choosing rather to accept expert opinions in the face of possible large scale development.

Another example of the Board favouring large scale development is in Decision Number 2092, a 2005 case wherein Case Numbers PL971478, PL030622, PL030649, and PL040803 are adjudicated. Herein, Brookfield and Del Corp. appeal to the Board to have a total 472 hectares of mainly agricultural land re-designated "General Urban", in direct contrast to the will of City Council, and the land-use forecasting documents prepared by staff. This case was among several results which led to our second major conclusion; namely, that OMB adjudication is demonstrative of a trial court process (wherein new evidence and testimony is considered in making a determination), rather than a board of appeal. The latter would assumedly adjudicate more similarly to a court of appeal than a trial court, although again in this case the Board is seen to give minimal consideration to relevant policies and legislation *in light of the established facts*. Within the Member's conclusion, the references to relevant policy are simply *in light of the expert testimony which is preferred* – that of the appellant developers – rather than facts which are established and can be agreed upon.

As an appeal board, the OMB would only be considering evidence and testimony which has previously been considered by Council, otherwise, refer the new evidence and a new decision back to Council. This principle is enshrined in ss. 44.3 and 44.4 of the *Planning Act*, wherein s. 44.3 states that:

> "this subsection applies if information and material that is presented at the hearing of an appeal under subsection(24) or (36) was not provided to the municipality before the council made the decision that is the subject of the appeal" (*Planning Act*, 1990 s. 44.3),

and s. 44.4 states that:

> "when subsection (44.3) applies, the Municipal Board may, on its own initiative or on a motion by the municipality or any party, consider whether the information and material could have materially affected the council's decision and, if the Board determines that it could have done so, it shall not be admitted into evidence until subsection (44.5) has be complied with and the prescribed time period has elapsed" (*Planning Act*, 1990 s. 44.4).

Subsequently, s. 44.5 provides that:

> "The Municipal Board shall notify the council that it is being given an opportunity to,
>
> (a) Reconsider its decision in light of the information and material; and
>
> (b) Make a written recommendation to the Board" (*Planning Act*, 1990 s. 44.5).

Thus the principle, while admittedly not binding, nonetheless should encourage the Board to refer new evidence and information back to Council. This case is a perfect example of failure in this regard, as even within the hearing, the witnesses for the appellants and the city staff collaborated to reach consensus on new growth projections. Such new information, as well as the large amount of testimony and evidence heard in this case could undoubtedly have had the effect

of changing the decision of Council. If the Board were truly acting according to its mandate as an appeal board, it would have respected these provisions of the *Planning Act*, non-binding as they are, and referred the new evidence back to Council.

To these examples could be added Case Number PL101449, wherein the Board allows development for nitrate dilution outside of a village boundary, basing its decision largely on expert opinion (although it does make reference to many relevant policies as well) and precedents in the City's decisions on similar matters.[1] These cases are contrasted by a number of other results, wherein small-scale development, such as retirement lots or additional housing on agricultural lands were not permitted, with decisions based *solely* on the relevant policies. This contrast displays a tendency of the Board to favour development as its breadth increases, and as influence of developers and their retained witnesses increases.

A third major conclusion derived from these results is that the practice of inconsistently weighing evidence is also increased in the face of larger development, and the presence of expert witnesses in favour thereof. Several cases of smaller significance, primarily in agricultural disputes, contrast this practice and show the Board to strictly follow the relevant policies and legislation. Some examples of these include Case Numbers PL060919, PL060117, and PL070191, as well as several others. While we again cannot make a blanket statement on the

[1] It is interesting to note Member Conti's decision here, based in 2013, wherein he suggests that the Board is in no position to determine whether a boundary expansion is necessary:

"It is clear that expansion of the village boundary can only be considered through a comprehensive review which takes into account a variety of factors. The Board has no basis, through this hearing, to determine if any lands outside of the village boundary are suitable for development. It is the municipality's responsibility through the comprehensive review to determine which areas may be suitable to accommodate urban uses and where growth should occur" (OMB Case Number PL101449, para. 56, emphasis added).

Contrasted with a recent decision by the same Member in 2016 on a very similar matter of boundary expansion in Greely, wherein he states that "the Board concludes that the matter of village boundary expansions was clearly dealt with in the decision of Council and therefore the Board has the jurisdiction to change the village boundary of Greely" (OMB Case Numbers PL101449, PL140495, para. 56, emphasis added), suggesting that perhaps relevant policies were not substantial factors in one, or both of these decisions.

issue, analysis of OMB decisions revealed a distinct inconsistency in the weighing of evidence, primarily as differences in the resources of the parties increased, and as the presence of developers and their retained witnesses increased.

The aforementioned Decision Number 2092 displays an inconsistency among the OMB in weighing evidence, as a notable focus is placed on the evidence of the developers over that of the City. In this decision, a clear disproportion is evident when considering expert opinion and evidence, as the Board member referred to a total of 8 expert witness testimonies retained by the developers, and only 2 retained by the city. Such inconsistencies are seen in several other cases as well, including Case Number PL040648. Herein, the appellant wished to create 3 separate lots on prime agricultural land and re-zone them for residential use. The Board heard testimony for the City from Stephen Belan, a city planner, and from one of the appellants who testified for himself, Mr. Shouldice, as well as Councillor Glenn Brooks, who appeared as a friend and neighbour, not as a Councillor. The subject property was classified as Class 2 and 3 soil, deeming it suitable for prime agricultural use, however, the appellants argued that it was wrongly classified, and that the soil was not suitable for large scale agricultural use. The appellants did not bring forth any scientific evidence or expert opinion in support of such claims, stating simply that the LEAR test would not have picked up such a small pocket of poor soil. The Board, however, still favoured the testimony of the appellants against that of the City's planner, even in the absence of clear, concise, and reputable scientific evidence. Such unsubstantiated evidence being disregarded by the Board can be seen in several other cases; however, for similarly unsubstantiated reasons, the Board disregarded the City's scientifically generated LEAR map, and acted contrary to the will of Council in granting the appellant provisional consent.

Another example of issues in hearing evidence by the Board is displayed in Case Number PL040088, wherein the development of a 9-hole golf course and driving range on lands which are abutting Provincially Significant Wetlands was appealed by a local wetland and fish habitat activist, Ken McRae, who suggests that the subject land is a part of such wetlands. The respondent developer seeks to dismiss the motion without a hearing, suggesting that there are no legitimate grounds upon which a land-use planning appeal could be successful. Mr. McRae, while offering no scientific or expert evidence, suggested that he needed more time to confirm his research to provide such evidence, and stated that it could be obtained by the time of the hearing. The respondent submitted the argument of counsel, and affidavits of two experts – a land-use planner, and an engineer experienced in geotechnical and hydrogeological investigations. These experts also submitted no new factual or scientific evidence, with the engineer stating that his review of the terrain evaluation report and wetland impact study led him to believe the development was without issue, and the land-use planner simply stating that she reviewed the relevant policies and planning documents, and it was her opinion that the proposed development constituted good land-use planning.

The Board chose to accept the evidence of the respondent, stating that the appellant's evidence was unsubstantiated. However, when reviewing this case one might note the lack of factual evidence brought forth by the respondent, whose expert affidavits simply provide their opinions on the matter – pegging the opinion of an "expert" against that of an activist, who may in fact be an "expert" in his own right. Moreover, an affidavit from a land-use planner who is retained by a developer, and which simply states that, in their opinion, the proposal constitutes good land-use planning ought to be viewed with some skepticism as constituting a piece of evidence. Undoubtedly the affidavit will be tailored to suit the cause for which it has been

retained, and in this sense, mere "expert opinion" without any explicit factual basis could be viewed as unsubstantiated. To submit such opinions as "evidence" would be to take the mandate of the Board (as an appeal board which decides matters of law and policy, *based on review and interpretation of the relevant documents*) and outsource it to someone who is retained by a party to the appeal.

Additionally, when reviewing this case one might note the disadvantage on the part of the local activist, who is unlikely to have the personal resources to retain two experts for affidavits, as well as the representation of counsel. Thus, as per the Board's standard interpretation of evidence (that it must be substantiated by scientific *or* expert opinion), the advantage will inevitably be in the hands of the developer, who presumably does have the resources to spare on obtaining such experts. Overall, this case represents a mix of unfair advantages, consideration, and inconsistency in the weighing of evidence by the Board.

A further – and quite major - example of the Board favouring large scale development, and being unduly influenced by heavy developer presence is seen in the OPA76 appeals. These appeals began in 2009 as a result of the City's 5-year comprehensive review of its Official Plan. The Official Plan Amendment 76 was heavily appealed, mostly by developers, leading to several years of hearings. Through these appeals, the City's initial approval of 230 hectares for urban boundary expansion was increased to a total of 1104 hectares. While this cannot be solely attributed to the OMB, the adjudication of the appeals displays a definite departure from proper practices of fairly weighing evidence and conforming to relevant policies, as well as a favouritism, or at least heavy influence, of developers on OMB decisions. These appeals were not directly included in our analysis, as they are quite complex, and in many ways astounding, deserving of their own more detailed and at-length analysis. Several such pieces have been

written on these appeals, including a very detailed article titled *How city bungling ballooned Ottawa's new urban area to nearly five times the original intent* by Erwin Dreessen. However, for the purposes of analysing the conduct of OMB adjudication, we have familiarized ourselves with these cases, and are comfortable in suggesting that they represent another example of the OMB favouring large scale development, unfairly weighing and applying evidence, and maneuvering around a strict application of the relevant policies and legislation to reach decisions in a way which does not conform to their purported mandate as a board of appeal.

Suggestions for Reform

In accordance with s. 35 of the *Ontario Municipal Board Act*, the Board is not necessarily obligated to adjudicate in the manner of a court of appeal (determining questions of law and policy in light of established facts), as it is authorized to determine questions of fact, similar to the role of a trial court. Nor, as per the non-binding nature of ss. 44.3, 44.4, and 44.5 of the *Planning Act*, is the Board obligated to return a decision back to Council in light of new evidence. In its mandate as an appeal body, the Board mostly deals with matters whose evidence has been heard by Council, or other municipal authorities. The appropriateness of their decisions are then heard by the Board on appeal. However, when new evidence and testimony is presented to the Board and not sent back to Council, it generates a scenario wherein local authorities – both elected and appointed by locally elected officials – are unable to make informed decisions affecting the community from which their authority derives. When the Board hears evidence which has not been offered to the municipal body in question, the decision of that municipal body cannot be viewed as an informed decision, as it was not provided with all of the relevant evidence or information necessary to reach a fair conclusion. This allows the OMB, whose interest and authority are provincial and thus less representative of individual communities, to

practice an exclusive opportunity to make informed decisions on municipal matters. This scenario affects the ability of residents to be effectively represented by their municipal government and authorities in the development and planning of their community since, as has been shown, much evidence and testimony which is presented to the Board, and not considered by the municipality, is used in making final and binding decisions.

As such, and in light of our analysis, we are of the opinion that the OMB ought to act according to its mandate as an appeal body, and be obligated by more binding provisions to, upon receipt of new evidence and testimony, refer decisions back to Council for consideration of such evidence. In this way, decisions on land-use and city planning disputes can be generated at a more local level. This may also, in light of new evidence which might reverse the City's prior decision, allow for greater compromise and mediation, as disputes are handled through local bodies. Two possible ways in which this could be achieved are through amendment of the new evidence provision of the *Planning Act*, and through amendments to the *Ontario Municipal Board Act*.

Amendment of the former could consist of adding more binding language to ss. 44.3, 44.4, and 44.5 of the *Planning Act*, such that the Board would still practice discretion in determining whether the new evidence may have materially affected the Council's decision, but that in reaching this determination in the affirmative, the Board is obliged to send the new evidence back to Council. In regard to the latter, s. 35 of the *Ontario Municipal Board Act* could be amended, *inter alia*, to produce a tribunal which acts more similarly to a court of appeal. Section 35 of the Act provides that the OMB "has authority to hear and determine all questions of law or of fact" (*Ontario Municipal Board Act*, 1990 s. 35), which in part allows the OMB to hear new evidence and determine facts in light thereof. However, if the Act were amended to

allow the OMB only to determine questions of law, it could be structured so that the OMB acts as a "court of appeal" type tribunal, hearing only the facts which have been established, agreed upon, and determined to be true during municipal hearings, and applying the relevant policies and laws from within the provincial and municipal land-use planning regime to those facts. In this way, the OMB would be the prime authority in determining the meaning, application, and misuse of policy and laws, allowing municipal governments – and thus those whom they represent – the full responsibility and liberty to determine which evidence constitutes fact in their community, and to make land-use planning decisions at their will, as long as they are in conformity with the law.

Upon such reform, the issue surrounding misuse and unequal weighing of evidence would be eliminated at the OMB level, leaving the determination and use of evidence to establish fact with the municipal government. In this way, the proper use of evidence is subject to a greater accountability, as decisions made at the local level are felt at the local level, and the repercussions of misuse can be greater than with those of a provincial body.

Conclusion

To claim that the OMB *per se* has a negative effect on the conservation and responsible development of "greenspace" in Ottawa would be unjustified. The OMB has certainly displayed compliance to the relevant policies which serve to protect natural heritage in Ottawa; however, *the structure and jurisdiction* with which the Board is allowed to decide such matters undoubtedly allows for adjudication which can lead to irresponsible development of "greenspace," and decisions which are not sufficiently based on relevant policies and laws. The ability of the Board to determine not just law, but fact, opens the door to issues of influence and unequal weighing of evidence, as well as favouritism of "expert witnesses" over those with

lesser resources who may face more challenges providing such evidence. In light of this, we conclude that the decisions of the Ontario Municipal Board, overall when considered as a whole, have had a negative effect on the responsible development of "greenspace" in Ottawa. This is seen primarily through urban boundary expansion, and large scale development proposals, whereas conservation of "greenspace" is mostly seen in agricultural areas on a much smaller scale. We do not purport to suggest that the OMB has no positive effects on conserving "greenspace," however, in light of our analysis and the favouritism of development when large scale, we believe that overall the effect is negative.

Additionally, as many of these decisions were seen to be based more on expert opinion than relevant policies, we conclude that the will of the Board overriding that of Council and the municipal authorities, when decisions are based on new evidence rather than interpretation of policy and law, has a negative impact on the conservation and responsible development of "greenspace" in the municipality. As decisions are taken out of the hands of the residents and those who represent them, and placed into those of a provincial body with the authority to determine facts in opposition to the findings of the municipal government, and municipality in general, those residents are given less liberty to develop and conserve according to their will. This in itself, we believe, represents a negative impact on the conservation and responsible development of not just "greenspace," but the municipality as a whole.

Ontario Municipal Board Decisions Analysed (By Date)

OMB Case Number: PL020550

- Decision Number: #1718. Issued: Dec. 18, 2002.

- Heard by: R.G.M. Makuch

OMB Case Number PL011151

- Decision Number: #0469. Issued: Apr. 10, 2003.
- Heard by: N.M. Katary

OMB Case Number PL040088

- Decision Number: #1428. Issued: Sept. 2, 2004.
- Heard by: F. G. Farrell

OMB Case Number PL040163, PL040412

- Decision Number: #1530. Issued: Sept. 21, 2004.
- Heard by: R. G. M. Makuch

OMB Case Number PL040502

- Decision Number: #1562. Issued: Sept. 28, 2004.
- Heard by: M.C. Denhez

OMB Case Number PL040648

- Decision Number: #1865. Issued: Dec. 2, 2004.
- Heard by: R. A. Beccarea

OMB Case Number PL040409

- Decision Number: #1453. Issued: Jun. 6, 2005.
- Heard by: R. G. M. Makuch

OMB Case Number PL971478, PL030622, PL030649, PL040803

- Decision Number: #2092. Issued: Aug. 11, 2005.
- Heard by: J. P. Atcheson

OMB Case Number PL050416

- Decision Number: #2940. Issued: Nov. 7, 2005
- Heard by: David J. Culham

OMB Case Number PL050508

- Decision Number: #3038. Issued: Nov. 18, 2005.
- Heard by: K. J. Hussey

OMB Case Number PL040841

- Decision Number: #0368. Issued: Feb. 6, 2006.
- Heard by: R.G.M. Makuch

OMB Case Number PL060117

- Decision Number: #1866. Issued: Jun. 28, 2006.
- Heard by: M. A. F. Stockton

OMB Case Number PL041068

- Decision Number: #0322. Issued: Feb 6, 2007.
- Heard by: M. C. Denhez

OMB Case Number PL060919

- Decision Number: #0709. Issued: Mar. 20, 2007.
- Heard by: M. C. Denhez

OMB Case Number PL031324

- Decision Number: #0724. Issued: Mar 21, 2007.
- Heard by: M. C. Denhez

OMB Case Number PL061020, PL070322

- Decision Number: #1675. Issued: Jun. 18, 2007.
- Heard by: M.C. Denhez

OMB Case Number PL070191

- Decision Number: #2199. Issued: Aug. 7, 2007.
- Heard by: M. G. Somers

OMB Case Number PL100024

- Decision Number: N/A. Issued: Mar. 31, 2010.
- Heard by: D. R. Granger

OMB Case Number PL111168

- Decision Number: N/A. Issued: Jun. 20, 2012.
- Heard by: C. Conti

OMB Case Number PL040243

- Decision Number: N/A. Issued: Aug. 24, 2012
- Heard by: M. C. Denhez

OMB Case Number PL101449

- Decision Number: N/A. Issued: Apr. 16, 2013.
- Heard by: C. Conti

OMB Case Number PL141313

- Decision Number: N/A. Issued: Aug. 27, 2015.
- Heard by: R. G. M. Makuch

OMB Case Number PL141340

- Decision Number: N/A. Issued: Nov. 17, 2015.
- Heard by: R.G.M. Makuch

Citations

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OMB Case Number PL141313. Nov. 25, 2015. [p. 7-8]

OMB Case Number PL971478, PL030622, PL030649, PL040803. Aug. 11, 2005 [p. 8, 11]

OMB Case Number PL101449. April 16, 2013. [p. 10-11]

OMB Case Number PL101449, PL140495. June 17, 2016. [p. 10n]

OMB Case Number PL060919. Mar. 20, 2007. [p. 10-11]

OMB Case Number PL060117. Jun. 28, 2006. [p. 10-11]

OMB Case Number PL070191. Aug. 7, 2007. [p. 10-11]

OMB Case Number PL040648. Dec. 2, 2004. [p. 11]

OMB Case Number PL040088. Sept. 2, 2004. [p. 12]

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