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RYAN SHARP
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ANN MOORE
CHIEF DEPUTY CLERK

AGREEMENT TO WAIVE IN PERSON ASSESSMENT APPEAL HEARING

APPLICATION NUMBER(s): _____

APPLICANT INFORMATION

Applicant Name: _____

Contact Name: _____

Mailing Address: _____

Contact Phone No: _____

City: _____ State: _____ Zip: _____

Email Address: _____

WHEREAS, it is provided in Section 1607 and 1610.2 of the California Revenue and Taxation Code and San Diego Assessment Appeals Board Local Rule of Procedure 18a that certain persons shall personally appear before the Assessment Appeals Board for the presentation of questioning and to hear evidence by the Board; and

WHEREAS, on May 7, 2020, California Governor Gavin Newsom caused to be issued Executive Order N-63-20; and

WHEREAS, Executive Order N-63-20 provides in pertinent part:

11) Any statute or regulation that permits a party or witness to participate in a hearing in person, a member of the public to be physically present at the place where a presiding officer conducts a hearing, or a party to object to a presiding officer conducting all or part of a hearing by telephone, television, or other electronic means, is suspended, provided that all of the following requirements are satisfied:

- a) Each participant in the hearing has an opportunity to participate in and to hear the entire proceeding while it is taking place and to observe exhibits;
- b) A member of the public who is otherwise entitled to observe the hearing may observe the hearing using electronic means; and
- c) The presiding officer satisfies all requirements of the Americans with Disabilities Act and Unruh Civil Rights Act; and

WHEREAS, by the July 7, 2020 Order of the Public Health Officer for the County of San Diego, (pursuant to California Health and Safety Code sections 101040, 120175, and 120175.5 (b)). The order provides in pertinent part:

28. This Order is issued to prevent circumstances often present in gatherings that may exacerbate the spread of COVID-19, such as: 1) the increased likelihood that gatherings will attract people from a broad

geographic area; 2) the prolonged time period in which large numbers of people are in close proximity; 3) the difficulty in tracing exposure when large numbers of people attend a single event or are at a single location; and 4) the inability to ensure that such persons follow adequate hygienic practices; and

WHEREAS, the undersigned taxpayer/agent desires to waive his/her/its rights under the aforesaid Section 1607 and 1610.2 of the California Revenue and Taxation Code and San Diego Assessment Appeals Board Local Rule of Procedure 18a.

NOW THEREFORE, it is agreed, by the undersigned taxpayer/agent that this matter may be heard via virtual hearing technology as ordered by the Assessment Appeals Board. This agreement shall bind the undersigned taxpayer/agent and any successors in interest and shall operate as an absolute waiver of any right to appeal a decision by the Assessment Appeals Board related to the hearing being held virtually. This waiver shall extend to any audio/video malfunctions related to this hearing

AGREED TO:

DATE: _____

(Print Taxpayer's or Agent's Name)

BY: _____

(Signature of Taxpayer or Agent)

(Title of Signer and Agency Name)