

# Appeal Postponement Information

## How can a hearing be postponed prior to its hearing date?

- If a postponement is requested up to 21 days prior to scheduled hearing date:
  - First request for postponement may be made as a matter of right
  - May be requested by either the applicant or the Assessor
  - Does not require agreement from the other party
- If a postponement is requested within 21 days of the scheduled hearing date:
  - Request may be initiated by either party
  - Other party must agree to initiating party's request for postponement
  - The "Agreement to Postpone Hearing with Waiver" form must be signed by both parties
  - Signed form must be received by the Clerk of the Board no later than 3:30 pm Pacific Time three (3) business days prior to the scheduled hearing
- If a postponement request is made within 3 business days of the scheduled hearing
  - Postponement will not be granted unless the applicant and Assessor have agreed upon a stipulated value and complete the "Agreement to Postpone Hearing with Waiver" form stating such an agreement has occurred
  - If no stipulation to value has been agreed upon, both the applicant and the Assessor must be present at the scheduled hearing

## What is the "Agreement to Postpone Hearing with Waiver" form?

- The "Agreement to Postpone Hearing with Waiver" form
  - Serves as written agreement, by both the applicant and Assessor, to postpone the hearing date
  - Must have both the signature of the applicant and the Assessor; a form missing a signature will be considered incomplete

## What happens if the "Agreement to Postpone Hearing with Waiver" form is incomplete or not submitted timely?

- Postponement request will not be granted
- Both the applicant/agent and the Assessor's representative must be present at the scheduled hearing

## Is an "Agreement to Postpone Hearing with Waiver" needed if you have entered into a stipulated agreement to value?

- An "Agreement to Postpone Hearing with Waiver" is required when:

County of Santa Clara, Office of the Assessor

- It is a first-time postponement request pending the execution of a stipulation to value;  
**AND**
- Request is made within 21 days of scheduled hearing date