1	BEFORE THE LAND USE BOARD OF APPEALS		
2	OF THE STATE OF OREGON		
3 4 5 6 7 8 9	OREGON APARTMENT ASSOCIATION and OREGONIANS IN ACTION LEGAL CENTER, Petitioners, vs.))))	LUBA No. 98-186
11 12 13	CITY OF PORTLAND,)	FINAL OPINION AND ORDER
14 15 16	Respondent.)	
17 18	Appeal from City of Portland.		
19 20	David J. Hunnicutt, Tigard, represented petitioners.		
21 22	Kathryn S. Beaumont, Portland, represented respondent.		
23 24 25	HANNA, Board Member; GUSTAFSO participated in the decision.	ON, Board	Chair; HOLSTUN, Board Member,
26 27	DISMISSED	2/11/99	
28 29	You are entitled to judicial review of provisions of ORS 197.850.	this Order.	Judicial review is governed by the

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- 1 Opinion by Hanna.
- 2 Pursuant to ORS 197.830(12)(b) and OAR 661-10-021, the City of Portland withdrew
- 3 the decision challenged in this appeal for reconsideration on October 29, 1998. On
- 4 November 6, 1998, the Board received the county's decision on reconsideration. Pursuant to
- 5 OAR 661-10-021(5)(a), petitioner had until November 27, 1998 to (1) refile its original
- 6 notice of intent to appeal in this matter, or (2) file an amended notice of intent to appeal. The
- 7 Board has not received a refiled original notice of intent to appeal or an amended notice of
- 8 intent to appeal in accordance with OAR 661-10-021(5)(a).
- 9 OAR 661-10-021(5)(d) provides "[i]f no amended notice of intent to appeal is filed or
- no original notice of intent to appeal is refiled, as provided in [OAR 661-10-021(5)(a)], the
- 11 appeal will be dismissed."
- This appeal is dismissed. Matrix Development v. City of Tigard, 25 Or LUBA 557
- 13 (1993).