



Opinion by Ryan.

Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, the respondent withdrew the decision challenged in this appeal for reconsideration on October 3, 2006. On January 3, 2007, the Board received respondent's decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner had until January 24, 2007 to either refile its original notice of intent to appeal in this matter, or file an amended notice of intent to appeal. The Board has not received a refiled original notice of intent to appeal or an amended notice of intent to appeal in accordance with OAR 661-010-0021(5)(a).

OAR 661-010-0021(5)(e) 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 661-010-0021(5)(a)], the appeal will be dismissed."

This appeal is dismissed. *Matrix Development v. City of Tigard*, 25 Or LUBA 557 (1993).