

Citation: *G. B. v. Canada Employment Insurance Commission*, 2015 SSTAD 913

Appeal No. AD-13-691

BETWEEN:

G. B.

Appellant

and

Canada Employment Insurance Commission

Respondent

SOCIAL SECURITY TRIBUNAL DECISION
Appeal Division – Appeal

SOCIAL SECURITY TRIBUNAL MEMBER: Mark BORER

DATE OF DECISION: July 23, 2015

DECISION: Appeal dismissed

DECISION

[1] The appeal is dismissed as abandoned.

INTRODUCTION

[2] On July 3, 2013, a panel of the board of referees (the Board) determined that the appeal of the Appellant from the previous determination of the Commission should be allowed in part. In due course, the Appellant appealed that decision to the Appeal Division and on May 28, 2015, leave to appeal was granted.

ANALYSIS

[3] When leave to appeal was granted, the Tribunal mailed the decision to the parties. Unfortunately, the letter sent to the Appellant was returned to the Tribunal with the notation that the Appellant had moved and was no longer at that address.

[4] The Tribunal then attempted to contact the Appellant using the phone number he provided. Upon doing so, they found that the number was out of service. The Tribunal also emailed the Appellant using the email address he provided. The email was returned as the address “couldn’t be found”. Only after attempting to contact the Appellant using every means provided by him did the Tribunal admit defeat.

[5] According to s. 6 of the *Regulations*, all parties must file with the Tribunal notice of any change in their contact information without delay. The Appellant has clearly failed to do so.

[6] Although an available option would be simply to hold the appeal in abeyance until further information becomes available, this is impractical as well as prejudicial to the Commission. They are entitled to have the matter resolved, one way or the other, and there is little value in maintaining “orphan” files indefinitely.

[7] As this is a very similar situation to that with which I dealt with in *V.O. v. Canada Employment Insurance Commission and Tube Mac Industries*, 2014 SSTAD 2, I see no reason not to deal with this case in the same way.

[8] I therefore find that the Appellant has failed to comply with s. 6 of the *Regulations* and that his appeal should be dismissed as abandoned for that reason. I do not make this decision lightly, and do so in the belief that this decision complies with my regulatory requirement to secure the just and most expeditious determination of appeals and applications as the considerations of fairness and natural justice permit.

CONCLUSION

[9] For the above reasons, the appeal is dismissed as abandoned.

Mark Borer

Member Appeal Division