

1 BEFORE THE LAND USE BOARD OF APPEALS
2 OF THE STATE OF OREGON

3
4 DAVID HEDIN,
5 *Petitioner,*

6
7 vs.

8
9 CITY OF PORTLAND,
10 *Respondent,*

11
12 and

13
14 HUMAN SOLUTIONS, INC.,
15 *Intervenor-Respondent.*

16
17 LUBA No. 2024-064

18
19 FINAL OPINION
20 AND ORDER

21
22 Appeal from City of Portland.

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24 Petitioner represented themselves.

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26 Robert L. Taylor represented respondent.

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28 Zoe Lynn Powers represented intervenor-respondent.

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30 ZAMUDIO, Board Chair; RUDD, Board Member, participated in the
31 decision.

32
33 RYAN, Board Member, did not participate in the decision.

34
35 DISMISSED

12/02/2024

36
37 You are entitled to judicial review of this Order. Judicial review is
38 governed by the provisions of ORS 197.850.

1 Opinion by Zamudio.

2 **MOTION TO INTERVENE**

3 Human Solutions, Inc. (intervenor), moves to intervene on the side of
4 respondent. No party opposes the motion and it is allowed.

5 **MOTION TO DISMISS**

6 Respondent and intervenor jointly move to dismiss this appeal because
7 petitioner did not timely file a petition for review. *See* OAR 661-010-0030(1)
8 (“[T]he petition for review shall be filed with the Board within 21 days after the
9 date the record is received or settled by the Board.”). The Board received the
10 supplemental record on October 23, 2024. The petition for review was due
11 November 13, 2024. Petitioner did not file a petition for review. ORS
12 197.830(11) requires that a petition for review be filed within the deadlines
13 established by Board rule. Failure to file a petition for review within the time
14 required by OAR 661-010-0030(1) or any extensions of that time under OAR
15 661-010-0067(2) shall result in dismissal of the appeal. OAR 661-010-0030(1);
16 *Towey v. City of Hood River*, LUBA No 2021-057 (Mar 21, 2022), *aff’d*, 321 Or
17 App 414, 516 P3d 738 (2022); *Terrace Lakes Homeowners Assoc. v. City of*
18 *Salem*, 29 Or LUBA 532, 535, *aff’d*, 138 Or App 188, 906 P2d 871 (1995).

19 This appeal is dismissed.