



ASSESSMENT REVIEW BOARD

MAIN FLOOR CITY HALL
1 SIR WINSTON CHURCHILL SQUARE
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June 22, 2010

NOTICE OF DECISION NO. 0098 07/10

CVG CANADIAN VALUATION GROUP
1200 10665 JASPER AVENUE
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THE CITY OF EDMONTON
ASSESSMENT AND TAXATION BRANCH
600 CHANCERY HALL
3 SIR WINSTON CHURCHILL SQUARE
EDMONTON, AB T5J 2C3

This is a decision of the Assessment Review Board (ARB) from a hearing held on June 22, 2010 respecting an appeal on the 2010 Annual New Realty Assessment.

Roll Number 9961935	Municipal Address 16517 – 97 Street NW	Legal Description Plan 9824982 Block 111 Lot 5
Assessed Value \$2,304,000.	Assessment Type Annual - New	Assessment Year 2010

Before:

Tom Robert, Presiding Officer
Francis Ng, Board Member
Reg Pointe, Board Member

Persons Appearing: Complainant

Tom Janzen, CVG

Persons Appearing: Respondent

Tony Mah, Assessment and Taxation

PROCEDURAL MATTERS

Upon questioning by the Presiding Officer, the parties present indicated no objection to the composition of the Board. In addition, the Board members indicated no bias with respect to this file.

The subject property is a free standing Servus Credit Union building located in north Edmonton at 16517 – 97 Street known as Namao Centre. It was agreed by both parties that Unit #1., argument and evidence would represent the total property as the argument and evidence would be the same for all roll numbers.

ISSUE(S)

The issue before the Board is what is the market rent of the subject property.



LEGISLATION

The Municipal Government Act, R.S.A. 2000, c. M-26;

S.467(1) An assessment review board may, with respect to any matter referred to in section 460(5), make a change to an assessment roll or tax roll or decide that no change is required.

S.467(3) An assessment review board must not alter any assessment that is fair and equitable, taking into consideration

- a) the valuation and other standards set out in the regulations,
- b) the procedures set out in the regulations, and
- c) the assessments of similar property or businesses in the same municipality.

POSITION OF THE COMPLAINANT

The Complainant presented rent rolls for the subject property (centre) indicating that currently and historically there has been a 12 per cent difference in the actual lease rates between the subject and the other two financial facilities in the same centre.

The current lease rate is \$27.50 for the subject, the comparables at \$36. and \$35. respectively all renewed in 2009. The Complainant further argued that the subject Credit Union should be valued differently than larger financial institutions such as banks.

POSITION OF THE RESPONDENT

The Respondent presented evidence indicating market rents for several financial facilities within the market area all showing on average \$35. per square foot. Further, the Respondent provided. equity comparables indicating \$35. used for all financial facilities.

The Respondent further argued that as directed by legislation, market rents rather than actual rents must be used in developing assessed values.

DECISION

The decision of the Board is to confirm the assessment at \$2,304,000.

REASONS FOR THE DECISION

The Board was not convinced that the actual lease rent of the subject represented market rent or typical rent for the subject.

No comparable evidence was presented by the Complainant to support his argument.

The Respondents market evidence as well as the equity comparables would appear to support the \$35. per square foot used for the subject.

DISSENTING DECISION AND REASONS

There was no dissenting decision.

Dated this 22nd day of June, 2010 at the City of Edmonton, in the Province of Alberta.

Presiding Officer

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