

NOTICE OF DECISION NO. 0098 106/12

Altus Group
780-10180 101 Street NW
Edmonton, AB T5J 3S4

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 Composite Assessment Review Board (CARB) from a hearing held on July 16, 2012, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
1533504	15802 111 Avenue NW	Plan: 5201MC Block: 2 Lot: 6B	\$1,083,500	Annual New	2012

This decision may be appealed to the Court of Queen's Bench on a question of law or jurisdiction, pursuant to Section 470(1) of the Municipal Government Act, RSA 2000, c M-26.

cc: INLETT INC

Edmonton Composite Assessment Review Board

Citation: Altus Group v The City of Edmonton, 2012 ECARB 1371

Assessment Roll Number: 1533504

Municipal Address: 15802 111 Avenue NW

Assessment Year: 2012

Assessment Type: Annual New

Between:

Altus Group

Complainant

and

The City of Edmonton, Assessment and Taxation Branch

Respondent

DECISION OF
John Noonan, Presiding Officer
Jack Jones, Board Member
Pam Gill, Board Member

Procedural Matters

[1] Upon questioning by the Presiding Officer, the parties before the Board indicated no objection to the Board's composition. In addition, the Board Members indicated no bias with respect to this file.

Background

[2] The subject property is an average condition, industrial warehouse, built in 1970 and is located in the Sheffield Industrial neighborhood. It has 8,538 square feet of main floor area of which 1,229 square feet is office space. The subject property has site coverage of 33% and has been assessed for 2012 utilizing the direct sales comparison approach to valuation based on sales occurring between January 2008 and June 2011. The subject property has also been assessed with the attribute of being located on a major roadway.

Issue

[3] The complaint form listed eight issues for complaint, however at the hearing the Complainant presented evidence and argument on the following issue:

- 1) Is the 2012 assessment of the subject property at \$1,083,500 equitable?

Legislation

[4] The *Municipal Government Act* reads:

Municipal Government Act, RSA 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

[5] The Complainant presented evidence (C-1) and argument for the Board's review and consideration.

[6] The Complainant presented four equity comparables (C-1, page 8) in support of a requested reduction to the 2012 assessment of the subject property. The comparables presented ranged in value from \$96.45 to \$108.52 per square foot compared to the assessed value of \$126.90 per square foot. Utilizing the average value of these comparables as a guideline, the Complainant indicated an appropriate unit valuation for the subject property would be \$100.00 per square foot for a total valuation of \$853,500.

[7] In summary the Complainant requested the 2012 assessment of the subject property be reduced from \$1,083,500 to \$853,500.

Position Of The Respondent

[8] The Respondent presented evidence (R-1 & R-2) and argument for the Board's review and consideration.

[9] The Respondent presented seven equity comparables (R-1, page 11) in support of the 2012 assessment of the subject property. The comparables presented ranged in value from \$122.63 to \$144.14 per square foot compared to the assessed value of \$126.90 per square foot.

[10] The Respondent noted that properties located on major roadways were typically assessed at a value approximately 10% higher than properties that did not have this attribute. The Respondent also stressed the importance of considering all factors in the valuation process (R-1, page 29 & 30), which include age, location, lot size, area, finished area, condition and site coverage.

[11] In summary the Respondent requested the 2012 assessment of the subject property be confirmed at \$1,083,500.

Decision

[12] The Board confirms the 2012 assessment of the subject property at \$1,083,500.

Reasons For The Decision

[13] After review and consideration of the evidence and argument presented by both parties the Board determined the 2012 assessment of the subject property at \$1,083,500 was equitable.

[14] The Board places greatest weight on the equity comparables presented by the Respondent (R-1, page 11) and in particular #2 and #5 which were similar to the subject property with respect to a major roadway attribute, location, age, condition, lot size, building area, finished area and site coverage. These two comparables valued at \$144.14 and \$142.17 per square foot support the 2012 assessment of the subject property at \$126.90 per square foot.

[15] The Board places less weight on the equity comparables presented by the Complainant as five of the six are not located on major roadways and one had been given a -10% industrial adjustment. The Board finds that these comparables are not similar to the subject property for comparison purposes.

Heard July 16, 2012.

Dated this 3rd day of August, 2012, at the City of Edmonton, Alberta.

Pam Gill, Board Member

Appearances:

Walid Melhem, Altus Group
for the Complainant

Suzanne Magdiak, City of Edmonton
for the Respondent