



ASSESSMENT REVIEW BOARD

MAIN FLOOR CITY HALL
1 SIR WINSTON CHURCHILL SQUARE
EDMONTON, ALBERTA T5J 2R7
(780) 496-5026 FAX (780) 496-8199

NOTICE OF DECISION NO. 0098 109/10

CANADIAN VALUATION GROUP
1200 10665 JASPER AVENUE
EDMONTON AB T5J 3S9

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 19, 2010 respecting a complaint for:

Roll Number 2219400	Municipal Address 14315 128 Avenue NW	Legal Description Plan 3674NY Block 1 Lot 9
Assessed Value \$2,558,500	Assessment Type Annual New	Assessment Notice for: 2010

Before:

Ted Sadlowski, Presiding Officer
George Zaharia, Board Member
Judy Shewchuk, Board Member

Board Officer:

J. Halicki

Persons Appearing: Complainant

Tom G. Janzen, Agent
Canadian Valuation Group

Persons Appearing: Respondent

Bob Thorgeirson, Supervisor
Industrial & Land Assessment
Assessment and Taxation Branch

PRELIMINARY 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. There were no preliminary matters raised.

ISSUE(S)

Is the assessment too high and in excess of market value?

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.

BACKGROUND

The subject property consists of two buildings comprised of warehouse and office space.

POSITION OF THE COMPLAINANT

The Complainant submitted evidence (C-1, p. 1) with respect to the total area of the subject property and advised that there is no finished mezzanine and the assessment should be based on 24,243 square feet including 5,154 square feet of main floor office space and not on 26,643 square feet. In the hearing, the Complainant agreed that the total area of the subject is 26,643 square feet.

The Complainant provided three comparable sales (C-1, p. 1) with an average, time-adjusted sale price of \$82.42 per square foot and asserted that this shows that the assessment of \$96.03 per square foot is too high.

The Complainant suggested that the sales comparables be given more weight than the equity comparables. It was pointed out that the comparables were all in the same area of Edmonton as the subject property and that the Respondent's sales included properties in other areas of Edmonton.

The Complainant requested that the assessment be reduced to \$85.00 per square foot for a revised total of \$2,060,500 based on 26,643 square feet.

POSITION OF THE RESPONDENT

The Respondent presented nine comparable sales (R-1, p. 29) and stated that #7 was the best comparable with a time-adjusted sale price of \$94.09 per square foot and a 2010 assessment of \$102.99 per square foot which supports the assessment of \$96.03 per square foot. The Respondent asked that the Board place no weight on comparable #3 as it is situated in a different part of the city from the subject property.

The Respondent also presented equity comparables (R-1, p. 39). These comparables were similar to the subject in location, age, condition, site coverage, lot size, and building size. The average assessment per square foot is \$106 and ranged from \$98 to \$122 per square foot.

The Respondent criticized the Complainant's sales comparable #2 (C-1, p. 1) as it included a lease agreement.

DECISION

The decision of the Board is to confirm the 2010 assessment at \$2,558,500.

REASONS FOR THE DECISION

The Board placed most weight on the Respondent's sales comparables, excluding #3 (as the Respondent suggested) and #2 (as the site coverage was more than double the site coverage of the subject property). Considering the remaining comparables, the Board observed that the average time-adjusted sale price is \$123.66 per square foot.

The Board also noted that the equity comparables with an average assessment of \$106 per square foot supports the 2010 assessment of \$96.03 per square foot. Both the time-adjusted sales comparables and the equity comparables provided by the Respondent supported the assessment of the subject.

The Complainant also provided information (C-1, pp. 8-10) showing the 2010 assessment for comparable properties the average of which was \$122.18 per square foot. This supported the assessment of the subject.

DISSENTING DECISION(S)

There were no dissenting decisions.

Dated this twelfth day of August, 2010 A.D. at the City of Edmonton, in the Province of Alberta.

Presiding Officer

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*, R.S.A. 2000, c.M-26.

CC: Municipal Government Board
City of Edmonton, Assessment & Taxation Branch
Linnell Taylor Assessment Strategies
Becker Portfolio Management Ltd.