

**NOTICE OF DECISION      NO. 0098 109/12**

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:

<b>Roll Number</b>	<b>Municipal Address</b>	<b>Legal Description</b>	<b>Assessed Value</b>	<b>Assessment Type</b>	<b>Assessment Notice for:</b>
1554005	17204 106A Avenue NW	Plan: 7621205 Block: 6 Lot: 6 / Plan: 7621205 Block: 6 Lot: 7	\$1,858,000	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.*

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cc: WEST TWO ENTERPRISES LTD

## **Edmonton Composite Assessment Review Board**

**Citation: Altus Group v The City of Edmonton, 2012 ECARB 001368**

**Assessment Roll Number:** 1554005

**Municipal Address:** 17204 106A Avenue NW

**Assessment Year:** 2012

**Assessment Type:** Annual New

Between:

**Altus Group**

Complainant

and

**The City of Edmonton, Assessment and Taxation Branch**

Respondent

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

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### **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 in average condition, industrial warehouse, built in 1977 and is located in the McNamara Industrial neighborhood. It has 17,216 square feet of main floor area of which 11,491 square feet is office space. The subject property has site coverage of 36% and has been assessed for 2012 utilizing the direct sales comparison approach to valuation based on sales occurring between January 2008 and June 2011.

### **Issue**

[3] The complaint form listed thirteen 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 \$1,858,000 fair?

## **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 & C-2) and argument for the Board's review and consideration.

[6] The Complainant presented five sales comparables (C-1, page 8) in support of a requested reduction to the 2012 assessment of the subject property. The Complainant advised that the sales comparables had been time adjusted to the valuation date of July 1, 2011 utilizing the same factors used by the Respondent (C-1, pages 15 & 16). The comparables presented ranged in value from \$73.41 to \$93.22 per square foot compared to the assessed value of \$107.92 per square foot. Utilizing the median value of these comparables as a guideline, the Complainant indicated that an appropriate unit valuation for the subject property would be \$83.00 per square foot for a total valuation of \$1,428,500.

[7] The Complainant also presented rebuttal evidence (C-2, page 2) which critiqued the Respondent's sales comparables with respect to having a major roadway attribute which the subject property does not share. The Complainant further referenced a partial excerpt from the Standard on Mass Appraisal of Real Property (C-2, page 9) which indicated that "the income approach is the most appropriate method to apply when valuing commercial and industrial property if sufficient income data are available".

[8] In summary the Complainant requested the 2012 assessment of the subject property be reduced from \$1,858,000 to \$1,428,500.

## **Position Of The Respondent**

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

[10] The Respondent presented five sales comparables (R-1, page 11) in support of the 2012 assessment of the subject property. The comparables presented ranged in value from \$93.27 to \$158.46 per square foot compared to the assessed value of \$107.92 per square foot.

[11] The Respondent 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.

[12] In summary the Respondent requested the 2012 assessment of the subject property be confirmed at \$1,858,000.

### **Decision**

[13] The decision of the Board is to reduce the 2012 assessment of the subject property from \$1,858,000 to \$1,429,000.

### **Reasons For The Decision**

[14] After review and consideration of the evidence and argument presented by both parties, the Board determined the 2012 assessment of the subject property was not appropriate at \$1,858,000.

[15] The Board places less weight on the sales comparables presented by the Respondent (R-1, page 11) as they are dissimilar to the subject property with respect to both lot and building size.

[16] The Board places greatest weight on the sales comparables presented by the Complainant (C-1, page 8). The sales comparables presented are similar to the subject property with respect to location, age, condition, lot size, building area, finished area and site coverage. These comparables support a reduction of the subject's 2012 assessment from \$107.92 to the Complainant's request for \$83.00 per square foot.

[17] The Board applies a revised unit value of \$83.00 to the subject building area of 17,216 square feet to arrive at a revised 2012 assessment of \$1,429,000.

[18] The Board finds that the reduction to the 2012 assessment of the subject property is fair in view of the sales evidence provided.

Heard July 16, 2012.

Dated this 3<sup>rd</sup> day of August, 2012, at the City of Edmonton, Alberta.

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Pam Gill, Board Member

### **Appearances:**

Walid Melhem, Altus Group  
for the Complainant

Suzanne Magdiak, City of Edmonton  
for the Respondent