



## ASSESSMENT REVIEW BOARD

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

### NOTICE OF DECISION NO. 0098 118/10

Canadian Valuation Group Ltd.  
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 26, 2010 respecting a complaint for:

<b>Roll Number</b> 3346905	<b>Municipal Address</b> 10505 114 Street NW	<b>Legal Description</b> Plan B4 Block 13 Lot 185
<b>Assessed Value</b> \$752,500	<b>Assessment Type</b> Annual New	<b>Assessment Notice for:</b> 2010

#### **Before:**

Patricia Mowbrey, Presiding Officer  
Petra Hagemann, Board Member  
Howard Worrell, Board Member

#### **Board Officer:**

J. Halicki

#### **Persons Appearing: Complainant**

Tom Janzen, Agent  
Canadian Valuation Group

#### **Persons Appearing: Respondent**

Stephen Leroux, Assessor  
Assessment and Taxation Branch

Steve Lutes, Solicitor, Law Branch

#### **PRELIMINARY MATTERS**

There were no preliminary matters.

#### **PROCEDURAL MATTERS**

The Complainant and Respondent expressed no objection to the composition of the Board and the Board Members had no bias to this file.

## **BACKGROUND**

The subject property, located in the Queen Mary Park subdivision, is a 6,399 square foot warehouse constructed in 1962 with a 2010 assessment of \$752,500 equating to \$117.60 per square foot.

## **ISSUE(S)**

Is the 2010 assessment of \$752,500 fair and equitable?

## **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 requested a reduction in the 2010 assessment from \$752,500 to \$607,500 equating to \$95 per square foot.

The Complainant presented, as evidence, exhibit C1 which included five sales comparables and their assessments (C1, pg. 1). Sales #1 and #4 were put forward as the best comparables taking into consideration similar site coverage to the subject property.

## **POSITION OF THE RESPONDENT**

The Respondent stated that the 2010 assessment of the subject is fair and equitable and presented as evidence exhibit R1. The Respondent further stated that the subject property has a site coverage of 85%.

The Respondent presented a chart documenting eight sales comparables (R1, pg. 18) to support the current assessment. Time-adjusted sales prices ranged from \$108.97 to \$168.95 per square foot. The Respondent indicated the best comparable sales were sales #1 to #4 and #6 and were selected for their similarity in location, age, site coverage, and size to the subject.

The Respondent also presented a chart documenting twelve equity comparables (R1, pg. 28) selected for location, site coverage, size, and age. These comparables ranged from \$117.24 to \$145.23 per square foot. The Respondent stated the subject property at \$117.59 per square foot is within this range.

## **FINDINGS**

The Complainant failed to meet the burden of proof.

## **DECISION**

The decision of the Board is to confirm the 2010 assessment at \$752,500.

## **REASONS FOR THE DECISION**

1. The Board reviewed the Complainant's and the Respondent's evidence (exhibits C1, C2, R1 and R2).
2. The Board considered location the prime factor that affects value along with the other factors of: lot size, age, site coverage, and building area (R1, pg. 7).
3. The Board noted the Complainant indicated sales comparables #1 and #4 (C1, pg. 1) were to be given the most consideration since these were closest in location and site coverage to the subject property. Their average time-adjusted sales price is \$93.56 per square foot. The Board also noted the corresponding 2010 average assessment values of sales #1 and #4 is \$90.51 per square foot.
4. The Board reviewed the Respondent's eight sales comparables (R1, pg. 18). Sales #1 to #4 were given greater consideration as they were not only within the immediate area of the subject property, but also comparable in site coverage and size. By averaging these comparables, the result is a time-adjusted sales price of \$142.18 per square foot.
5. The Board also reviewed the Respondent's twelve equity comparables (R1, pg. 28). These comparables were similar in age, condition, site coverage, and size. Comparables #5 to #12 are located closest to the subject property. The assessments ranged from \$117.24 to \$145.23 per square foot. Equity comparable #10 is in close proximity to the subject property and is most similar in age, site coverage, and size. The Board placed greatest weight on the Respondent's equity comparables, particularly #10, which is assessed at \$117.24 per square foot and supports the subject's assessment of \$117.59 per square foot.
6. The Board finds the assessment for the subject property of at \$752,500 is fair and equitable.

## **DISSENTING DECISION AND REASONS**

There were no dissenting decisions.

Dated this twenty-seventh day of July, 2010, at the City of Edmonton, in the Province of Alberta.

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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 and Taxation Branch  
City of Edmonton, Law Branch  
Waymor Holdings Ltd.