



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 119/10

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:

Roll Number 3347051	Municipal Address 10515 114 Street NW	Legal Description Plan B4 Block 13 Lots 186;187
Assessed Value \$1,287,500	Assessment Type Annual New	Assessment Notice for: 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

Built in 1957 with a 1977 effective age, the subject property, located in the Queen Mary Park neighbourhood of central Edmonton, is a 10,000 sq. ft. office/warehouse (3,648 sq. ft. of office space). The 2010 assessment of \$1,287,500 equates to \$128.75 per square foot.

ISSUE(S)

Is the 2010 assessment of \$1,287,500 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 requests a reduction in the 2010 assessment from \$1,287,500 to \$1,050,000 equating to \$105 per square foot.

The Complainant presented in exhibit C1 five sales comparables and their assessments (C1, pg. 1). Sales #1 and #3 were put forward as the best sales comparables taking into consideration similar building size and location to the subject.

In rebuttal, the Complainant submitted a chart of the Respondent's seven sales comparables (C2, pg. 2) showing the 2010 assessments and assessments per square foot for information purposes for each property.

POSITION OF THE RESPONDENT

The Respondent believes that the 2010 assessment of the subject property is fair and equitable and presented, as evidence, exhibit R1. The Respondent noted that the subject has a site coverage of 67%.

The Respondent presented a chart documenting seven sales comparables (R1, pg. 14) to support the current assessment. Time-adjusted sales prices ranged from \$104.65 to \$168.95 per square foot. The Respondent indicated the best comparable sale was #2, selected for its similarity in location, age, site, coverage, building area, and physical characteristics to the subject.

The Respondent also presented a chart documenting seven equity comparables (R1, pg. 22) selected likewise for their characteristics similar to the subject property. These comparables ranged from \$120.85

to \$136.57 per square foot. The Respondent noted that the subject property at \$128.75 per square foot was within this range.

The Respondent submitted a Property Assessment Law and Legislation brief (R2).

FINDINGS

The Complainant failed to meet the burden of proof.

DECISION

The Board's decision is to confirm the 2010 assessment at \$1,287,500.

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 #3 (C1, pg. 1) were to be given the most consideration since these were closest in location and building area to the subject property and their average time-adjusted sales price is \$95.70 per square foot. The Board also noted the corresponding 2010 average assessment values of sales #1 and #3 is \$106 per square foot.
4. The Board reviewed the Respondent's seven sales comparables (R1, pg. 14). Sales #3, #6, and #7 were given greater consideration as they were not only within the immediate area of the subject property, but also most comparable in site coverage and age. By averaging these comparables, the result is a time-adjusted sales price of \$153.25 per square foot.
5. The Board found the Complainant's and Respondent's sales comparables (C1, pg. 1; R1 pg. 14) varied widely in their attributes and, therefore, the Board placed less weight on the sales comparables.
6. The Complainant, in rebuttal (exhibit C2), provided the 2010 assessments for the Respondent's sales comparables (R1, pg. 14). Using the assessments for these sales comparables results in an average assessment of \$129.59 per square foot.
7. The Board also reviewed the Respondent's seven equity comparables (R1, pg. 22). These comparables were similar in location, age, condition, site coverage, and building area. The assessments ranged from \$120.85 to \$136.57 per square foot. The Board placed greatest weight on all of the Respondent's equity comparables which averaged \$127.77 per square foot. This supports the subject's assessment of \$128.75 per square foot.
8. The Board finds the assessment for the subject property at \$1,287,500 is fair and equitable.

DISSENTING DECISION AND REASONS

There were no dissenting decisions.

Dated this twenty-eighth day of July, 2010, 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 and Taxation Branch
City of Edmonton, Law Branch
Waymor Holdings Ltd.