



## 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 137/10**

Colliers International Realty Advisors  
3555 10180 101 Street  
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 August 23, 2010 respecting a complaint for:

<b>Roll Number</b> 8480550	<b>Municipal Address</b> 4601 99 Street NW	<b>Legal Description</b> Plan: 4187RS Block: 3 Lot: A
<b>Assessed Value</b> \$2,947,500	<b>Assessment Type</b> Annual New	<b>Assessment Notice for</b> 2010

**Before:**

Lillian Lundgren, Presiding Officer  
Petra Hagemann, Board Member  
Howard Worrell, Board Member

**Board Officer:** Annet N. Adetunji

**Persons Appearing: Complainant**

None

**Persons Appearing: Respondent**

Will Osborne, Assessment and Taxation Branch

## **PRELIMINARY MATTERS**

This complaint is withdrawn. Mr. David Porteous, Colliers International, agent for the property owner sent an e-mail to Mr. Will Osborne, Respondent stating that he is withdrawing this complaint for today's hearing. Mr. Osborne submitted a copy of the e-mail to the panel.

## **BACKGROUND**

The subject 23,040 square foot warehouse is located at 4601 99 Street in the Papachase Industrial neighborhood.

## **ISSUES**

Several grounds for the complaint were identified on the complaint form but none were pursued owing to the fact that Mr. Porteous withdrew the complaint.

## **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.

## **DECISION**

The panel accepts the withdrawal of the complaint.

## **REASONS FOR THE DECISION**

The Board accepts the withdrawal based on the email sent to Mr. Osborne.

Mr. David Porteous should have notified the Edmonton Assessment Review Board of his intention to withdraw this complaint in sufficient time to notify the Respondent and the panel. The short notice with no explanation for the withdrawal is not acceptable practice for an agent.

## **DISSENTING DECISION AND REASONS**

None.

Dated this 23<sup>rd</sup> day of August, 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.*

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CC: Municipal Government Board

GE Canada Real Estate Equity Holding Company / Societe De Portefeuille Immobil.