



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 158/10

Avanti Homes Inc
5357 75 Street NW
Edmonton, AB T6E 0W4

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 30, 2010 respecting a complaint for:

Roll Number 10126379	Municipal Address 5357 75 Street NW	Legal Description Plan: 0822577 Unit: 1
Assessed Value \$468,000	Assessment Type Annual New	Assessment Notice for 2010

Before:

Lillian Lundgren, Presiding Officer
George Zaharia, Board Member
Judy Shewchuk, Board Member

Board Officer: Annet N. Adetunji

Persons Appearing: Complainant

None

Persons Appearing: Respondent

John Ball, Assessment and Taxation Branch
Peter Bubula, Assessment and Taxation Branch

PRELIMINARY MATTERS

The Complainant was not present at the hearing and the Board confirmed that a hearing notice with the proper date, time and location of the hearing was mailed to the Complainant. In accordance with section 463 of the *Municipal Government Act*, the Board proceeded to deal with the complaint in the absence of the Complainant.

Since the Complainant was not present at the hearing and had not submitted any evidence to challenge the correctness of the assessment, the Respondent made application to the Board to dismiss the complaint due to the Complainant not meeting the onus.

ISSUE

Is the 2010 assessment of the subject property at \$468,000 correct?

LEGISLATION

The Municipal Government Act, R.S.A. 2000, c. M-26;

S. 463 If any person who is given notice of the hearing does not attend, the assessment review board must proceed to deal with the complaint if

- (a) all persons required to be notified were given notice of the hearing, and
- (b) no request for a postponement or an adjournment was received by the board or, if a request was received, no postponement or adjournment was granted by the board.

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 decision of the Board is to approve the Respondent's application to dismiss the complaint. The 2010 assessment of the subject property is confirmed at \$468,000.

REASONS FOR THE DECISION

The Complainant provided no evidence to challenge the correctness of the 2010 assessment.

DISSENTING DECISION AND REASONS

There was no dissenting decision.

Dated this 31st day of August, 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