



ASSESSMENT REVIEW BOARD

Churchill Building
10019 103 Avenue
Edmonton AB T5J 0G9
Phone: (780) 496-5026

NOTICE OF DECISION NO. 0098 161/11

Altus Group
17327 106A Avenue
Edmonton, AB T5S 1M7

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 September 8, 2011 respecting a request for inclusion of the following roll numbers in the Altus Group preliminary hearings scheduled for October 6-7, 2011:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
3052529	17610 100 Avenue NW	Plan: 5903KS Lot: B	\$8,369,500	Annual Revised	2011
3160256	9925 107 Street NW	Plan: NB Block: 6 Lots: 44/45/46	\$27,159,500	Annual New	2011
3193257	9912 107 Street NW	Plan: NB Block: 7 Lots: 59 / 60 / 61 / 62 /63 / 64 /	\$32,965,000	Annual New	2011
3587185	1 Thornton Court NW	Plan: 5474MC Lots: A /B/C	\$20,790,500	Annual Revised	2011
7852866	10330 45 Avenue NW	Plan: 7620205 Block: 28 Lot: 1	\$15,234,000	Annual Revised	2011
3138203	10260 105 Street NW	Plan: B2 Block: 5 Lots: 173 / 174	\$1,867,000	Annual Revised	2011

Before:

Lynn Patrick, Presiding Officer

Board Officer:

Segun Kaffo

Persons Appearing on behalf of Complainant:

Chris Buchanan
Robert Brazzell

Persons Appearing on behalf of Respondent:

Steve Lutes

ISSUE

Should the roll numbers listed above be added to and consolidated with the roll numbers listed in application for Preliminary Hearing made by the Respondent dated April 1, 2011, and thus form part of the City of Edmonton/Altus Preliminary Hearings now scheduled for October 6-7 as requested by the Respondent?

POSITION OF THE COMPLAINANT

It would appear that these roll numbers were inadvertently left out of the list of 753 roll numbers that are the subject of a request for Preliminary Hearings made by the Respondent in writing dated April 1, 2011. The Preliminary Hearings requested by the Respondent have been the subject of a further preliminary hearing requested by the Complainants to postpone the Preliminary Hearings pending receipt of certain information and documents from the Respondent. The Complainants' request was granted and the matter of the Respondent's requested Preliminary Hearing is now set for hearing on October 6-7. The Complainants have no objection to the addition of these roll numbers to the Respondent's list of 753, and thus the consolidation of the roll numbers for the purpose of the Preliminary Hearing on October 6-7, 2011 and any ongoing proceedings arising there from.

POSITION OF THE RESPONDENT

The Respondent notes that the roll numbers in this matter were intended to be part of the list of roll numbers submitted with the request for a preliminary hearing dated April 1, 2011 and were inadvertently left off the list. The Respondent submits that there is no prejudice to the Complainants as a result of this and that the Complainant has not opposed this request. The consolidation will provide for an efficient disposition of these additional roll numbers in the preliminary processes.

LEGISLATION

S. 36 of the Matters Relating to Assessment Complaints Regulation, AR 310/2009

(1) Pursuant to section 454.2(3) of the Act, a council may establish a composite assessment review board consisting of only one member.

(2) A one-member composite assessment review board may hear and decide one or more of the following matters:

(a) a complaint about a matter shown on an assessment notice, other than an assessment;

(b) a procedural matter, including, without limitation, the scheduling of a hearing, the granting or refusal of a postponement or adjournment, an expansion of time and an issue involving the disclosure of evidence;

(c) an administrative matter, including, without limitation, an invalid complaint;

(d) any matter, other than an assessment, where all of the parties consent to a hearing before a one-member composite assessment review board.

DECISION

The Board grants the request.

REASONS FOR THE DECISION

There is no prejudice to the Complainants and the consolidation will correct an inadvertence and provide for the hearing on these roll numbers to take place concurrently with the rest of the roll numbers cited in the request for a Preliminary Hearing by the Respondent

Date: October 6 – 7, 2011

Time: 9:00 am

Location: Edmonton

A new hearing notice will not be sent.

Dated this 12th day of September at the City of Edmonton, in the Province of Alberta.

Lynn Patrick, 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, RSA. 2000, c M-26.
