



ASSESSMENT REVIEW BOARD

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NOTICE OF DECISION NO. 0098 214/11

Central Land Developments Inc.
300-4075 106 Street NW
Edmonton AB T6J 7J2

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 6, 2011, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
10067189	4042 MacTaggart Drive NW	Plan: 0626895 Block: 9 Lot: 12	\$1,584,000	Annual New	2011

Before:

Dean Sanduga, Presiding Officer
Jasbeer Singh, Board Member
Howard Worrell, Board Member

Board Officer: Denis Beaudry

Persons Appearing on behalf of Complainant:

Danny Slaven, Central Land Developments Inc.

Persons Appearing on behalf of Respondent:

Jerry Sumka, Assessor, City of Edmonton

PRELIMINARY MATTERS

At the onset of the hearing the Respondent offered a recommendation to reduce the 2011 assessment from \$1,584,000 to \$ 1,069,000. The Complainant declined the offer and requested the Board proceed with the merit hearing.

BACKGROUND

The subject property is a serviced vacant lot, located in the MacTaggart Area. The 1.20 acre parcel neighbours two parcels, sharing common ownership. It is zoned RA7 (Low Rise Apartment District).

ISSUE(S)

Is the 2011 assessment in the amount of \$1,584,000 fair and equitable?

LEGISLATION

Municipal Government Act, RSA 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 contends that the 2011 assessment of the subject property in the amount of \$1,584,000 is excessive.

To support his position, the Complainant presented seven equity comparables of similar properties (serviced land), the majority of which are located in South Edmonton (C1, page 5), generally close to the location of the subject property. The comparables presented by the Complainant indicate a base assessment value of \$708,000 per acre for RA7 zoned land.

Considering these comparables, the Complainant requested a reduction in the assessed value of the subject property to 708,000 per acre, or \$849,123.

POSITION OF THE RESPONDENT

The Respondent maintains that the assessment of the subject property is fair and equitable. This position is based upon the application of the principles of mass appraisal and on the Respondent's evidence of equity assessment of similar property comparables (R-2).

DECISION

The Board's decision is to reduce the 2011 assessment from \$1,584,000 to \$872,500.

Roll Number	Original Assessment	New Assessment
10067189	\$1,584,000	\$872,500

REASONS FOR THE DECISION

The Board reviewed the Complainant's and Respondent's evidence. The Board placed greatest weight on the Complainant's equity comparables #1 and #2, (C-1, page 9) and the Respondent's equity comparable #1 (R-2, page 14) as they were closest in size, location, attributes, and zoning. The average equity assessment is \$726,953 per acre.

The Board placed less weight on the Respondent's second comparable, as it is superior in location and servicing, and is zoned RA9, while the subject property is zoned RA7.

The Board finds a reduced assessment of \$726,953 per acre, or \$872,500, is fair and equitable

DISSENTING OPINION AND REASONS

There was no dissenting opinion.

Dated this 5th day of October, 2011, at the City of Edmonton, in the Province of Alberta.

Dean Sanduga, 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.
