



## ASSESSMENT REVIEW BOARD

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

### NOTICE OF DECISION NO. 0098 228/11

CVG  
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 September 19, 2011, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
1075050	7823 - 34 Street NW	Plan: 5506RS Lot: C	\$5,267,000	Annual New	2011

#### Before:

Hatem Naboulsi, Presiding Officer  
Judy Shewchuk, Board Member  
Ron Funnell, Board Member

#### Board Officer:

Annet Adetunji

#### Persons Appearing on behalf of Complainant:

Tom Janzen, Canadian Valuation Group

#### Persons Appearing on behalf of Respondent:

Suzanne Magdiak, Assessor, City of Edmonton

## **PROCEDURAL MATTERS**

Upon questioning by the Presiding Officer, the parties present indicated no objection to the composition of the Board. In addition, the Board members indicated no bias with respect to this file.

## **BACKGROUND**

The subject is a single-tenant office/warehouse property built in 1975 and located at 7823 – 34 Street in the Southeast Annexed Industrial neighborhood. It contains a total of 25,630 square feet, with 6,956 square feet of finished mezzanine, on a 425,724.581 square foot (10.39 acre) lot for a site coverage of 4%. The 2011 assessment of the subject property is \$5,267,000 which equates to \$205.50 per square foot.

## **ISSUE**

Is the 2011 assessment of the subject property at \$5,267,000 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 presented five sales and assessment comparables ranging in time adjusted sale price from \$108.40 to \$187.18 per square foot and assessment from \$111.31 to \$179.31. The Complainant asked that the assessment be reduced to \$160.00 per square foot for a total of \$4,100,500.

Of their five comparables, the Complainant emphasized #1, #2, #3, and #5:

Comparable #1 at 4035 – 101 Street, a building of 12,650 square feet, built in 1967, with 17% site coverage, sold in November 2008 for a time adjusted sale price of \$156.32 per square foot;

Comparable #2 at 9540 – 60 Avenue, a building of 12,035 square feet, built in 1967, with 17% site coverage, sold in December 2008 for a time adjusted sale price of \$156.96 per square foot and assessed at \$147.37;

Comparable #3 at 4810 – 93 Street, a building of 29,982 square feet, built in 1974, with 16% site coverage, sold in April 2009 for a time adjusted sale price of \$108.40 per square foot and assessed at \$111.31;

Comparable #5 at 1811 – 66 Avenue, a building of 17,160 square feet, built in 1979, with 6% site coverage, sold in January 2010 for a time adjusted sale price of \$163.79 per square foot and assessed at \$164.61.

The Complainant criticized the Respondent's comparables as five out of nine are situated on main roadways whereas the subject is not.

### **POSITION OF THE RESPONDENT**

In support of the assessment, the Respondent presented nine sales comparables, all located in the southeast quadrant, ranging in time adjusted sale prices from \$216.29 to \$408.92 per square foot. The building sizes ranged from 2,592 to 63,007 square feet and the site coverages from 6% to 17%. The Respondent also presented eight equity comparables, all in the southeast quadrant.

The Respondent criticized the Complainant's comparables as being inferior to the subject and, in particular, comparable #3 as having sold at a low price because it was in poor condition at the time of the sale.

### **DECISION**

The decision of the Board is to confirm the 2011 assessment at \$5,267,000.

### **REASONS FOR THE DECISION**

The Board finds that the Complainant did not provide sufficient or compelling evidence to support a reduction in the assessment. The Complainant's comparables #1, #2, #3, and #4 all had significantly higher site coverages than the subject. In addition, comparable #4 was much newer than the subject. While comparable #5 was close in site coverage and size, the Board was reluctant to reduce the assessment based on one comparable. Accordingly, in the interest of fairness and equity, the Board confirms the assessment.

### **DISSENTING OPINION AND REASONS**

There was no dissenting opinion.

Dated this 7<sup>th</sup> day of October, 2011, at the City of Edmonton, in the Province of Alberta.

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Hatem Naboulsi, Presiding Officer

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*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.*

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cc: Northern Industrial Holdings Ltd