



ASSESSMENT REVIEW BOARD

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NOTICE OF DECISION NO. 0098 237/11

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 21, 2011, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
9536541	7504 - 52 Street NW	Plan: 4795RS Block:3 Lot:4	\$4,971,000	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:

Will Osborne, Assessor, City of Edmonton
Steve Lutes, Barrister & Solicitor, 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 property is a two building office/warehouse complex of 35,201 square feet. The property was constructed in 1991 and 2000 on a 2.3 acre lot for a site coverage of 30%. The 2011 assessment is \$4,971,000 or \$141.22 per square foot.

ISSUE

Is the 2011 assessment of the subject property at \$4,971,000 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 submitted nine sales comparables ranging in time adjusted sale price from \$76.26 to \$133.22 per square foot. The range of building sizes was 31,704 to 79,615 square feet and the range of site coverages was 25% to 44%.

The Complainant also submitted rebuttal evidence which detailed the assessments of the Respondent's sales comparables. These ranged from \$84.31 to \$167.44 per square foot.

Of major concern to the Complainant was the fact that the 2011 assessment was 15% greater than the 2010 assessment, well in excess of typical assessment increases in this part of southeast Edmonton.

The Complainant asked that the Board reduce the 2011 assessment to \$100.00 per square foot for a total of \$3,520,000.

POSITION OF THE RESPONDENT

The Respondent presented eleven sales comparables ranging in building size from 13,580 to 34,787 square feet and site coverage from 22% to 42%. The time adjusted sale prices ranged from \$137.48 to \$167.60 per square foot.

The Respondent pointed out that the Complainant's sales comparable #9 was post facto.

The Respondent explained that each year's assessment is independent of the previous year's assessment and is based on the market value on the valuation date.

DECISION

The Board reduces the 2011 assessment of the subject property from \$4,971,000 to \$4,653,500.

REASONS FOR THE DECISION

The Board finds that the nine sales and assessment comparables submitted by the Complainant (Exhibit C1, P.1) did not support a reduction in the assessment of the subject property. However, the Board was persuaded by the rebuttal evidence of the Complainant which detailed the assessments of the Respondent's eleven sales comparables (Exhibit C2, P.1) which indicated an average assessment of \$132.20 per square foot. Therefore in the interest of fairness and equity, the Board reduces the assessment of the subject property to \$132.20 per square foot for a total of \$4,653,500.

DISSENTING OPINION AND REASONS

There was no dissenting opinion.

Dated this 17th day of October, 2011, at the City of Edmonton, in the Province of Alberta.

Hatem Naboulsi, 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.

cc: 1314697 Alberta Inc.