



## ASSESSMENT REVIEW BOARD

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

### NOTICE OF DECISION NO. 0098 238/11

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 20, 2011, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
9569054	4303 - 69 Avenue NW	Plan: 7923220 Block: 6 Lot: 7	\$2,299,000	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 single-tenant office/warehouse building located in the Pylypow Industrial neighborhood. The property was built in 1999 and contains a total of 10,636 square feet on a 62,938 square foot (1.4 acre) lot for a site coverage of 17%. The 2011 assessment of the property is \$2,299,000 which equates to \$216.15 per square foot.

## **ISSUE**

Is the 2011 assessment of the subject property at \$2,299,000 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 \$124.01 to \$187.18 per square foot. The assessments of these comparables ranged from \$126.68 to \$179.31 per square foot. The range of building sizes was 11,250 to 28,686 square feet and the range of site coverages was 17% to 33%. The Complainant asked that the assessment of the subject be reduced to \$180.00 per square foot for a total of \$1,914,000.

Of their five comparables the Complainant asked the Board to place most weight on #1 and #2:

Comparable #1 at 9504 – 49 Street, a building of 11,672 square feet, built in 1995, with 17% site coverage, sold in July 2008 for a time adjusted sale price of \$182.74 per square foot and was assessed at \$158.78 per square foot;

Comparable #2 at 6670 - 53 Avenue, a building of 13,000 square feet, built in 2001 with 17% site coverage, sold in October 2009 for a time adjusted sale price of \$187.18 per square foot and was assessed at \$179.31 per square foot.

The Complainant also presented rebuttal evidence which listed the assessments of the Respondent's seven sales comparables ranging from \$127.06 to \$244.36 per square foot. As the assessments were consistently lower than the adjusted sale prices, the Complainant argued that this supports a reduction in the assessment of the subject.

### **POSITION OF THE RESPONDENT**

The Respondent presented seven sales comparables, all located in the southeast quadrant as is the subject. They ranged in building size from 5,400 to 11,672 square feet and site coverage from 8% to 32%. The time adjusted sale prices ranged from \$210.51 to \$408.92 per square foot.

In support of the assessment the Respondent also presented six equity comparables with assessments ranging from \$210.84 to \$264.38 per square foot.

### **DECISION**

The Board reduces the 2011 assessment of the subject property from \$2,299,000 to \$1,963,500.

### **REASONS FOR THE DECISION**

The Board finds that the five sales and assessment comparables presented by the Complainant (exhibit C-1, p.1) did not support a reduction in the assessment of the subject. However, the Board was persuaded by the rebuttal evidence of the Complainant which addressed the assessments of the Respondent's sales comparables (exhibit C-2, p.1). The seven comparables presented indicated an average assessment of \$184.64 per square foot. Therefore, in the interest of fairness and equity the Board reduces the assessment to \$184.64 per square foot for a total of \$1,963,500.

### **DISSENTING OPINION AND REASONS**

There was no dissenting opinion.

Dated this 17<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: 562255 Alberta Ltd.