



ASSESSMENT REVIEW BOARD

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NOTICE OF DECISION NO. 0098 239/11

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:
10097096	5219 - 47 Street NW	Plan: 0727603 Block: 19 Lot: 6	\$14,365,500	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 2006 and contains a total of 152,056 square feet on a 348,670 square foot (8.0 acre) lot for a site coverage of 40%. The 2011 assessment of the property is \$14,365,500 which equates to \$94.48 per square foot.

ISSUE

Is the 2011 assessment of the subject property at \$14,365,500 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 four sales and assessment comparables ranging in time adjusted sale price from \$69.41 to \$84.58 per square foot. The assessments of these comparables ranged from \$67.29 to \$100.53 per square foot. The range of building sizes was 168,520 to 399,767 square feet and the range of site coverages was 35% to 56%. The Complainant asked that the assessment of the subject be reduced to \$85.00 per square foot for a total of \$12,924,500.

Of their four comparables, the Complainant asked the Board to place most weight on comparable #2 at 10203 – 184 Street, a three building property of 168,520 square feet, built in 1996 with site coverage of 35%. It sold in February 2009 for a time adjusted sale price of \$84.58 and was assessed at \$100.53 per square foot.

The Complainant also presented rebuttal evidence which listed the assessments of the Respondent's seven sales comparables ranging from \$83.89 to \$137.50 per square foot. As five

of the seven assessments were 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 located in either the southeast quadrant or the west end of the city. They ranged in building size from 65,241 to 289,464 square feet and site coverage from 34% to 39%. The time adjusted sale prices ranged from \$84.55 to \$147.66 per square foot.

In support of the assessment the Respondent also presented fourteen equity comparables with assessments ranging from \$94.02 to \$131.16 per square foot.

DECISION

The Board confirms the 2011 assessment of the subject property at \$14,365,500.

REASONS FOR THE DECISION

The Board finds that the sales and assessment comparables presented by the Complainant (exhibit C-1, p.1) did not support a reduction in the assessment of the subject.

The Board is also not convinced by the Respondent's seven sales comparables (exhibit R-1, p.15) as five are located in the west end of the city, one is half the size of the subject, and one is twice the size of the subject.

The Board is persuaded by the equity comparables presented by the Respondent (exhibit R-1, p. 23) and finds that comparables #1, #5, #6, and #9 support the assessment from the perspective of location, size, and site coverage. Therefore the Board confirms the assessment.

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: The Great-West Life Assurance Company
London Life Insurance Company