



ASSESSMENT REVIEW BOARD

Churchill Building
10019 103 Avenue
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NOTICE OF DECISION NO. 0098 240/11

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:
9964194	7710 - 34 Street NW	Plan: 9826090 Block: 24 Lot: 2	\$6,898,500	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 multi-tenant office/warehouse building located in the Weir Industrial neighborhood. The property was built in 2002 and contains a total of 50,022 square feet on a 198,735 square foot (4.6 acre) lot for a site coverage of 25%. The 2011 assessment of the property is \$6,898,500 which equates to \$137.91 per square foot.

ISSUE

Is the 2011 assessment of the subject property at \$6,898,500 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 nine sales and assessment comparables ranging in time adjusted sale price from \$71.85 to \$141.35 per square foot. The assessments of these comparables ranged 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 asked that the assessment of the subject be reduced to \$110.00 per square foot for a total of \$5,502,000.

Of their nine comparables the Complainant asked the Board to place most weight on #4, #6, #7, #8, and #9:

Comparable #4 at 4130/56 – 99 Street is a building of 35,258 square feet, built in 1968, with 35% site coverage. It sold in July 2008 for a time adjusted sale price of \$198.18 per square foot and was assessed at \$101.57 per square foot;

Comparable #6 at 9330 – 45 Avenue is a building of 38,308 square feet, built in 1999 with 28% site coverage. It sold in September 2009 for a time adjusted sale price of \$141.35 per square foot and was assessed at \$129.54 per square foot;

Comparable #7 at 10025 – 51 Avenue is a building of 79,615 square feet, built in 1961 with an effective year built 1975 and 25% site coverage. It sold in May 2010 for a time adjusted sale price of \$91.14 per square foot and was assessed at \$85.59 per square foot;

Comparable #8 at 3304 Parsons Road is a building of 38,373 square feet, built in 1979 with 39% site coverage. It sold in June 2010 for a time adjusted sale price of \$75.34 per square foot and was assessed \$95.12 per square foot;

Comparable #9 at 7603 McIntyre Road is a building of 44,000 square feet, built in 2001 with 25% site coverage. It sold in December 2010 for a time adjusted sale price of \$100.57 per square foot and was assessed at \$133.22 per square foot.

The Complainant also presented rebuttal evidence which listed the assessments of the Respondent's five sales comparables ranging from \$92.47 to \$155.04 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 five sales comparables, all but one located in the southeast quadrant as is the subject. They ranged in building size from 30,078 to 74,801 square feet and site coverage from 20% to 39%. The time adjusted sale prices ranged from \$141.37 to \$190.57 per square foot.

In support of the assessment, the Respondent also presented ten equity comparables with assessments ranging from \$138.51 to \$169.53 per square foot.

DECISION

The Board confirms the 2011 assessment at \$6,898,500.

REASONS FOR THE DECISION

The Board finds that the sales and assessment comparables presented by the Complainant did not support a reduction in the assessment. However, the Board is persuaded by the Respondent's sales and equity comparables and finds that they support the assessment of the subject as they are similar in location, size, age, 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: Scott Hill Investments Inc.