



ASSESSMENT REVIEW BOARD

Churchill Building
10019 103 Avenue
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Phone: (780) 496-5026

NOTICE OF DECISION NO. 0098 251/11

John C. Manning
c/o 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: |
|-------------|---------------------|------------------------------------|----------------|-----------------|------------------------|
| 1075308 | 9324 - 49 Street NW | Plan: 7622073 Block: 2 Lot: 3-5 | \$6,596,500 | 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:

Peter Smith, Canadian Valuation Group
Bob Spero, Property Manager

Persons Appearing on behalf of Respondent:

Susen Douglass, 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 property is a multi-tenant office/warehouse building located in the Eastgate Business Park neighborhood. The property was built in 1977 and contains a total of 77,550 square feet on a 143,703 square foot (3.3 acre) lot for a site coverage of 43%. The 2011 assessment of the property is \$6,596,500 which equates to \$85.06 per square foot.

ISSUE

Is the 2011 assessment of the subject property at \$6,596,500 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 comparables ranging in time adjusted sale price from \$71.85 to \$89.12 per square foot. The range of building sizes was 38,373 to 50,250 square feet and the range of site coverages was 27% to 44%. It was requested that most weight be placed on comparable #3 at 9333 – 49 Street (across the street from the subject) which sold in February 2009 at a time adjusted price of \$71.85 per square foot. The Complainant asked that the assessment of the subject be reduced to \$75.00 per square foot for a total of \$5,816,000.

Of major concern to the Complainant was the fact that the 2011 assessment increase was 34% greater than the prior year, well in excess of typical assessment increases in southeast Edmonton.

POSITION OF THE RESPONDENT

The Respondent presented ten sales comparables (including the Complainant's four comparables) ranging in building size from 31,506 to 76,233 square feet and site coverage from 27% to 45%. The time adjusted sale prices ranged from \$71.19 to \$124.68 per square foot.

The Respondent submitted that their comparables were more similar to the subject in location, size, and age than those of the Complainant.

DECISION

The Board reduces the 2011 assessment of the subject property from \$6,596,500 to \$6,183,000.

REASONS FOR THE DECISION

The Board finds that the Complainant's sales comparables #1, #2, and #3 were most appropriate comparables due to location, age, and site coverage. The average time adjusted sale price of these three sales comparables was \$79.73 per square foot. In the interest of fairness and equity the Board reduces the 2011 assessment to \$79.73 per square foot for a total of \$6,183,000.

DISSENTING OPINION AND REASONS

There was no dissenting opinion.

Dated this 20th 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: CVG
KSR Acquisitions & Sales Inc