



ASSESSMENT REVIEW BOARD

MAIN FLOOR CITY HALL
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EDMONTON AB T5J 2R7
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NOTICE OF DECISION NO. 0098 262/10

831031 Alberta Ltd
11219 100 Avenue NW
Edmonton, AB T5K 0J1

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 22, 2010, respecting a complaint for:

Roll Number 10044992	Municipal Address 635 Cameron Heights Drive	Legal Description Plan: 0526241 Block: X Lot: D
Assessed Value \$7,288,000	Assessment Type Annual - New	Assessment Notice for 2010

Before:

Larry Loven, Presiding Officer
Petra Hagemann, Board Member
Howard Worrell, Board Member

Board Officer: Annet N. Adetunji

Persons Appearing: Complainant

None

Persons Appearing: Respondent

None

PRELIMINARY MATTERS

The Complainant and Respondent did not attend the hearing and the Board confirmed they were given proper notice of the hearing.

ISSUE

Whether the assessment for the subject property is correct.

LEGISLATION

The Municipal Government Act, R.S.A. 2000, c. M-26;

S. 463 If any person who is given notice of the hearing does not attend, the assessment review board must proceed to deal with the complaint if

(a) all persons required to be notified were given notice of the hearing, and

(b) no request for a postponement or an adjournment was received by the board or, if a request was received, no postponement or adjournment was granted by the board.

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 did not disclose any evidence in support of the complaint. However, the Complainant indicated on the complaint form that the assessment amount is too high and that comparable sales support a value of \$157,497/acre for the land available to sell (39 acres). The Complainant requested an assessed value of \$6,127,000 on the complaint form.

POSITION OF THE RESPONDENT

The Respondent did not disclose any evidence or argument.

DECISION

The Board confirmed the assessment of the subject property at \$7,288,000 during the hearing. However, post-hearing, the parties presented the Board with an Agreement to Correction form which indicated that they agreed on a corrected assessment of \$6,728,000 for the subject property. The Board accepts the corrected assessment amount of \$6,728,000.

REASONS FOR THE DECISION

The parties agreed that \$6,728,000 reflects the fair market value of the subject property at the valuation date of July 1, 2009.

DISSENTING OPINIONS AND REASONS

None.

Dated this 23rd day of September, 2010, at the City of Edmonton, in the Province of Alberta.

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, R.S.A. 2000, c.M-26.

CC Municipal Government Board
831614 Alberta Ltd