



ASSESSMENT REVIEW BOARD

MAIN FLOOR CITY HALL
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NOTICE OF DECISION NO. 0098 283/10

Altus Group Ltd.
17327 106A Avenue
Edmonton, AB T5S 1M7

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 October 13, 2010 respecting a complaint for:

Roll Number 10029938	Municipal Address 5203 75 St. NW	Legal Description Plan: 0425438 Block: 1 Lot: 5B
Assessed Value \$6,248,000	Assessment Type Annual New	Assessment Notice for: 2010

Before:

Michael Vercillo, Presiding Officer
Brian Hetherington, Board Member
Jack Jones, Board Member

Board Officer:

J. Halicki

Persons Appearing: Complainant

A.R. (Tony) Patenaude, Agent
Sr. Tax Consultant, Altus Group Ltd.

Persons Appearing: Respondent

Richard Fraser, Assessor
Assessment and Taxation Branch

PRELIMINARY MATTERS

Upon questioning by the Presiding Officer, the parties indicated no objection to the composition of the Board and confirmed full disclosure had occurred between the parties. In addition, the Board Members indicated no bias with respect to this file.

There were no preliminary matters raised by the parties and the Respondent did not have any recommendation for this roll.

ISSUE(S)

Is the land valuation utilized in the 2010 assessment for the subject property fair and equitable?

LEGISLATION

The Municipal Government Act, R.S.A. 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.

BACKGROUND

Located in the Roper Industrial subdivision, the commercial subject property zoned IM comprises approximately 7.465 acres with several improvements and a site coverage of 21%. As a special-use property the subject is assessed utilizing the cost approach to value for the improvements which is added to a market valuation for the land to arrive at the 2010 assessment.

COMPLAINANT'S POSITION

The Complainant provided evidence (C-1) and argument for the Board's review and consideration. The Complaint form listed 25 issues to be considered by the Board but upon questioning the Complainant indicated that the only remaining issue to be determined (C-1, pg. 5) was the one noted above.

With respect to the issue of land valuation the Complainant presented three land sales comparables (C-1, pg. 8) which had an average value of \$12.75 per square foot compared to the assessed value of \$15.85 per square foot. The Complainant requested that the value be revised using the rate of \$12.75 per square foot to revise the total land value to \$4,144,886.

The Complainant had no issue with respect to the value of improvements and requested the revised land value be added to the assessed improvement value to reduce the 2010 assessment from \$6,248,000 to \$5,239,500.

RESPONDENT'S POSITION

The Respondent provided evidence (R-1 & R-2) and argument for the Board's review and consideration.

With respect to the issue of land valuation, the Respondent presented three land sales comparables (R-1, pg. 18) (two of which were also presented by the Complainant) which averaged \$15.70 per square foot compared to the assessed value of \$15.85 per square foot.

The Respondent requests that the 2010 assessment of \$6,248,000 be confirmed.

DECISION

The decision of the Board is to reduce the 2010 assessment from \$6,248,000 to \$5,953,000.

REASONS FOR THE DECISION

- 1) The Board placed greatest weight on the two land sales comparables provided by both the Respondent (R-1, pg. 18- #2 & 3) and the Complainant (C-1, pg. 8- # 1 & 2) which were similar to the subject with respect to proximity and size. The average value of these two sales is \$14.94 per square foot, which the board finds represents a fair and equitable value for the subject property. When this unit value is applied to the subject area, a land value of \$4,858,129 is determined.
- 2) In determining the revised assessment the Board added the revised land value of \$4,858,129 to the assessed improvement value of \$1,094,986 to derive a rounded value of \$5,953,000.

DISSENTING DECISION AND REASONS

There were no dissenting opinions.

Dated this 14th day of October, 2010 A.D. 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
City of Edmonton, Assessment and Taxation Branch
Alco Energy Industries Ltd.