



ASSESSMENT REVIEW BOARD

Churchill Building
10019 103 Avenue
Edmonton AB T5J 0G9
Phone: (780) 496-5026

NOTICE OF DECISION NO. 0098 301/11

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 October 26, 2011, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
8636342	5830 99 STREET NW	Plan: 6312NY Block: 15 Lot: 1	\$1,293,000	Annual New	2011

Before:

Tom Robert, Presiding Officer
John Braim, Board Member
Jack Jones, Board Member

Board Officer: Segun Kaffo

Persons Appearing on behalf of Complainant:

Tom Janzen

Persons Appearing on behalf of Respondent:

Susen Douglass

PROCEDURAL MATTERS

The parties indicated that they had no objection to the constitution of the Board. The Board members indicated that they had no bias with regard to the matter.

BACKGROUND

The subject property is a 6,400 square foot single tenant office / warehouse built in 1969 and located in the Coronet industrial neighbourhood. The 2011 assessment is based on the direct sales comparison approach to valuation.

ISSUE(S)

Is the 2011 assessment of the subject property at \$1,293,000 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 evidence (C-1) and argument for the Board's review and consideration.

The Complainant presented five time adjusted sales and equity comparables (C-1, page 1) to support a requested reduction of the 2011 assessment from \$202.03 to \$170.00 per square foot. The Complainant indicated that the most weight should be placed on sales comparables #2 & 5 as these properties had the most physical characteristics in common with the subject property.

The Complainant noted that the time adjustments used in the analysis (C-1, page 16) were the same adjustments utilized by the Respondent for industrial properties.

The Complainant made note that the subject property is on a long and narrow lot (C-1, pages 3 to 5) fronting onto 99 Street, and that the size and shape of the property limits the opportunity for future development. The Complainant also noted that the subject property has not been given a negative site adjustment in the 2011 assessment to address these limitations.

The Complainant requested the 2011 assessment be reduced from \$1,293,000 to \$1,088,000 (C-1, page 2).

POSITION OF THE RESPONDENT

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

The Respondent outlined the mass appraisal process and the factors found to influence value in the warehouse market (R-1, pages 4 to 8).

The Respondent indicated that the subject property had not been granted a negative industrial allowance (R-1, page 14) in the 2011 assessment to address the limitations of the lot shape.

The Respondent presented seven time adjusted sales comparables (R-1, page 18) to support the 2011 assessment of \$202.02 per square foot.

The Respondent also presented five equity comparables (R-1, page 19) to support the 2011 assessment of the subject property.

The Respondent requested that the 2011 assessment be confirmed at \$1,293,000.

DECISION

The decision of the Board is to reduce the 2011 assessment of the subject property from \$1,293,000 to \$1,088,000.

REASONS FOR THE DECISION

- 1) Upon review and analysis of the evidence and argument presented by the parties the Board finds that the 2011 assessment of \$1,293,000 is not appropriate for the subject property.
- 2) The Board considered the Complainant's sales comparables (C-1, page 1) as the most similar to the subject property with respect to location, size, and age, and were recent sales (2009 & 2010). These sales comparables supported the reduction to the 2011 assessment requested by the Complainant.
- 3) The Board placed less weight on the sales comparables (R-1, page 18) presented by the Respondent as they generally varied from the subject property with respect to size and four of the seven comparables contained 2nd floor office or mezzanine space while the subject property does not. The Respondent's comparables #4, 5 & 7 that were the most similar to the subject property supported a reduction to the 2011 assessment.
- 4) The Board noted that the shape of the subject property and the associated limitations had not been considered in the 2011 assessment. This was factored in to the Board's decision to reduce the 2011 assessment from \$200.03 to \$170.00 per square foot.
- 5) The Board finds that the reduced 2011 assessment of \$1,088,000 for the subject property is fair and equitable.

DISSENTING OPINION AND REASONS

There was no dissenting opinion.

Dated this 2nd day of November, 2011, at the City of Edmonton, in the Province of Alberta.

Tom Robert, 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: WALFAM INC