



## ASSESSMENT REVIEW BOARD

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

### NOTICE OF DECISION NO. 0098 312/11

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 20, 2011, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
9974956	14630 Yellowhead Trail NW	Plan: 9926308 Block: A Lot: 8A	\$6,382,000	Annual New	2011

#### Before:

Patricia Mowbrey, Presiding Officer  
Jack Jones, Board Member  
Jasbeer Singh, Board Member

**Board Officer:** Jason Morris

#### Persons Appearing on behalf of Complainant:

Peter Smith, CVG

#### Persons Appearing on behalf of Respondent:

Will Osborne, Assessor, City of Edmonton

## **PROCEDURAL MATTERS**

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

## **BACKGROUND**

The subject property is located at 14630 Yellowhead Trail in the Brown Industrial neighbourhood of northwest Edmonton. It consists of two buildings of a combined total of approximately 49,000 square feet on a lot of approximately 337,500 square feet. The 2011 assessment was created using the direct sales comparable method, and is \$6,382,000.

## **ISSUE(S)**

Is the 2011 assessment of the subject property at \$6,382,000 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 time adjusted sales comparables (C-1, page 1) to support a requested reduction of the 2011 assessment from \$129.88 to \$100.00 per square foot. The Complainant suggested that the best comparables to the subject property were # 1, 3 & 6 with the most weight placed on #3 as it is a similar use (tire shop) to the subject property.

The Complainant noted that the 2011 assessment (C-1, page 3) had increased by 12% over the previous year's assessment whereas the market time adjustments (C-1, page 4) for the same period indicate a reduction of approximately 4%.

The Complainant requested the 2011 assessment be reduced from \$6,382,000 to \$4,914,000 (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, page 7).

The Respondent also noted that each year's assessment stands alone and that year by year percentage increases alone are not a justification for a reduction in assessment.

The Respondent presented eight time adjusted sales comparables (R-1, page 23) to support the 2011 assessment of \$129.88 per square foot.

The Respondent also presented ten equity comparables (R-1, page 32) to support the 2011 assessment of the subject property.

The Respondent requested the 2011 assessment be confirmed at \$6,382,000.

## **DECISION**

The decision of the Board is to confirm the 2011 assessment of the subject property at \$6,382,000 as fair and equitable.

## **REASONS FOR THE DECISION**

- 1) The Board considered the evidence and argument presented by both parties.
- 2) The Board placed greater weight on the sales comparables presented by the Respondent (R-1, page 23) which supported the 2011 assessment of the subject property. The sales comparables presented were similar to the subject property with respect to location, size, condition and site coverage.
- 3) The Board considered sales comparables #2, 4 & 8 (R-1, page 23) as the most similar to the subject property with a TASP range of \$117.08 to \$132.15 per sq ft and an average TASP of \$125.42 per sq ft. which supported the 2011 assessment of \$129.88 per sq ft.
- 4) The Board found that the sales comparables presented by the Complainant (C-1, page 1) were not similar to the subject property with respect to age or size and as such were given less weight in the analysis. In particular it was noted that the Complainant's best comparable (C-1, page 1) #3, has a time adjusted sale price of \$132.24 per square foot which supports the assessment of the subject property at \$129.88 per square foot.
- 5) The Board found that the Respondent's equity comparables (R-1, page 32) further supported the 2011 assessment of the subject property.
- 6) The Board finds that the 2011 assessment of the subject property at \$6,382,000 is fair and equitable.

## **DISSENTING OPINION AND REASONS**

There were no dissenting opinions.

Dated this 24<sup>th</sup> day of October, 2011, at the City of Edmonton, in the Province of Alberta.

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Patricia Mowbrey, Presiding Officer

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*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.*

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cc: N & T PROPERTIES LTD