



## ASSESSMENT REVIEW BOARD

MAIN FLOOR CITY HALL  
1 SIR WINSTON CHURCHILL SQUARE  
EDMONTON AB T5J 2R7  
(780) 496-5026 FAX (780) 496-8199

### NOTICE OF DECISION NO. 0098 320/10

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 hearings held on October 26, 2010 respecting a complaint for:

<b>Roll Number</b> 9967528	<b>Municipal Address</b> 10010 178 Street NW	<b>Legal Description</b> Plan: 9922363 Block: 10 Lot: 7
<b>Assessed Value</b> \$26,164,000	<b>Assessment Type</b> Annual New	<b>Assessment Notice for:</b> 2010

#### **Before:**

Lynn Patrick, Presiding Officer  
Francis Ng, Board Member  
Brian Carbol, Board Member

#### **Board Officer:**

Karin Lauderdale

**Persons Appearing: Complainant**  
Walid Melhem, Altus Group Ltd.

**Persons Appearing: Respondent**  
Chris Hodgson, Assessment and Taxation Branch

### **PRELIMINARY MATTERS**

The parties indicated no objection to the composition of the Board and the Board Members expressed no bias with respect to this file.

The Complainant acknowledged that there was an error made in the calculation of their requested assessment of \$22,307,000.

### **BACKGROUND**

The subject property is an apartment and limited service hotel, with 236 rooms, known as the Royal Executive Inn.

## **ISSUES**

Because the Complainant acknowledged their error, there is no issue before the Board.

## **LEGISLATION**

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

s. 293(1) In preparing an assessment, the assessor must, in a fair and equitable manner,  
(a) apply the valuation and other standards set out in the regulations, and  
(b) follow the procedures set out in the regulations.

(2) If there are no procedures set out in the regulations for preparing assessments, the assessor must take into consideration assessments of similar property in the same municipality in which the property that is being assessed is located.

(3) An assessor appointed by a municipality must, in accordance with the regulations, provide the Minister with information that the Minister requires about property in that municipality.

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 information to the Board showing that his calculation of expenses contains an error respecting the amount of taxes.

When this error was corrected to correspond with the actual amount of taxes, the Complainant agreed that there was no issue and the assessment was correct and should be confirmed at \$26,164,000.

## **POSITION OF THE RESPONDENT**

The Respondent acknowledges that with the Complainant's correction there is no issue and that the assessment should be confirmed.

## **DECISION**

The Decision of the Board is to confirm the assessment at \$26,164,000

## **REASONS FOR THE DECISION**

The Board accepts the submission by the Complainant that there is an error in the calculation and when the correct calculation is completed the value derived there from supports the assessment.

The Board finds that the assessment is fair and equitable.

## **DISSENTING OPINION AND REASONS**

There was no dissenting opinion.

Dated this 26<sup>th</sup> day of October, 2010 A.D., at the City of Edmonton, in the Province of Alberta.

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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.*

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CC: Municipal Government Board  
Remai Ventures Inc.