



ASSESSMENT REVIEW BOARD

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NOTICE OF DECISION NO. 320/11

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 November 2, 2011, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
2703122	10549 123 STREET NW	Plan: RN22 Block: 8 Lot: 1	\$499,500	Annual New	2011

Before:

Tom Robert, Presiding Officer
Brian Hetherington, Board Member
Howard Worrell, Board Member

Board Officer: Karin Lauderdale

Persons Appearing on behalf of Complainant:

Tom Janzen, CVG

Persons Appearing on behalf of Respondent:

Jerry Sumka, Assessor, City of Edmonton

PRELIMINARY MATTERS

The Complainant and Respondent 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 before them.

BACKGROUND

The subject property is a gravel parking lot located in the Westmount neighbourhood of central Edmonton. The site contains 7,495 square feet and the land assessment equates to \$66.64 per square foot.

ISSUE(S)

Is the 2011 assessment of the subject property too high?

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 provided a 17- page brief (C-1) that contained 2011 assessment details, 11 sales and equity comparables and supporting network and City of Edmonton equity reports.

The Complainant stated that the 2010 assessment for the subject property was \$231,000 or \$30.82 per square foot compared to the 2011 assessment of \$499,500 or \$66.64 per square foot. This represents a 116% increase whereas the City's commercial land time adjustment chart (C-1, page 16) shows a decrease of approximately of 11.5% from July, 2009 to July, 2010. If the time adjustment factor from 2009 of 0.8854 was applied to the 2010 assessment it would result in a value of \$27.29 per square foot.

The 11 sales and equity comparables provided by the Complainant (C-1, page 1) show the following;

- Comparable sales 1 through 6 show sales from May 2006 to July 2010. These sales had a range of TASP per square foot from \$37.36 to \$94.41.
- Sales 1-3 are interior locations while sales 4-6 are adjacent to main roadways.
- Based upon on the analysis, interior locations typically sell for 40% less than properties on main roadways.

- Equity comparables 6 through 11 are located on main roadways and showed an assessment range from \$61.88 to \$ 73.35 with an average assessment of \$67.83 per square foot.

Based upon the sales and assessment comparables that show interior locations generally have a 40% discount over those that are located on main roadways the Complainant requests a reduction of the 2011 assessment to \$305,000.

POSITION OF THE RESPONDENT

A 26- page brief (R-1) was provided that included an overview of assessment principals, an aerial map, 2011 assessment detail report of the subject property and charts containing 3 sales and 6 equity comparables.

The Respondent provided a sales comparable chart (R-2, page 15) that showed sales from May, 2006 to September 2009. These sales had a range of TASP per square foot of \$52.55 to \$97.40 per square foot with an average of \$68.50 per square foot supporting the 2011 assessment of \$66.64 per square foot.

An equity comparable chart (R-1, page 16) was also provided that shows 6 properties with 2011 assessment from \$68.15 to \$69.62 per square foot with an average of \$68.51 per square foot. These further support the 2011 assessment of \$ 66.64 per square foot or \$499,500.

DECISION

Roll Number	Original Assessment	New Assessment
2703122	\$499,500	\$405,000

REASONS FOR THE DECISION

The Board determines that the best indicators of market value for the subject are those comparables with the least amount of market adjustments. It is noted that the time adjusted comparable at 10504-121 street is used by both parties. The indicated time adjusted sale price per square foot is \$55.55. This property is similar in location and zoning to the subject. The Respondent's sale comparable at 10972 – 124 Street is similar in size, at 7,493 square foot, and location. The sale date is relatively recent as of Sept.2009. This sale comparable sold for a time adjusted value of \$52.55 per square foot.

The Board is of the view that these time- adjusted sales best represent the value per square foot of the subject at approximately \$54.00 per square foot. Therefore the subject's 2011 assessment is reduced to \$404,730 or rounded to \$405,000.

DISSENTING OPINION AND REASONS

There was no dissenting opinion.

Dated this 15th 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: 762119 ALBERTA LTD.