



ASSESSMENT REVIEW BOARD

Churchill Building
10019 103 Avenue
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NOTICE OF DECISION NO. 0098 365/11

ALTUS GROUP
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 November 15, 2011, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
7098593	10538 - 82 Avenue NW	Plan: I Block: 66 Lot: 10/ Plan: I Block: 66 Lot: 8/ Plan: I Block: 66 Lot: 9	\$711,500	Annual New	2011

Before:

Tom Robert, Presiding Officer
Judy Shewchuk, Board Member
Ron Funnell, Board Member

Board Officer: Segun Kaffo

Persons Appearing on behalf of Complainant:

Jordan Thachuk

Persons Appearing on behalf of Respondent:

Chris Rumsey, Assessor, City of Edmonton
Jerry Sumka, Assessor, City of Edmonton

BACKGROUND

The subject property is undeveloped land consisting of 6,525 square feet and zoned CB2. The parcel fronts on Whyte (82nd) Avenue and is used in conjunction with a car wash enterprise.

ISSUE(S)

What is the market value of the subject property as of July 1, 2010?

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 seven direct sales comparables ranging in time adjusted sale price from \$69.29 to \$112.04 per square foot. The average was \$91.93, the median was \$97.78, and the requested value was \$94.50 per square foot. The 2011 assessment is \$109.04 per square foot. The Complainant argued that all sales within the area of the subject should be considered in arriving at a value for the subject.

POSITION OF THE RESPONDENT

The Respondent submitted two direct sales comparables on 82nd Avenue with an average time adjusted sale price of \$111.27 per square foot. The Respondent argued that 82nd Avenue is a unique market area and only comparables on that avenue should be considered in arriving at a value.

DECISION

Confirm.

REASONS FOR THE DECISION

The Board is persuaded that 82nd Avenue is a unique market area. Both parties submitted direct sales comparables on 82nd Avenue similar in zoning, location, and size. The range of all the comparables was from \$110.53 to \$112.04, supporting the 2011 assessment of \$109.04 per square foot.

DISSENTING OPINION AND REASONS

There were no dissenting opinions.

Dated this 23rd 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: 921079 ALBERTA LTD