



ASSESSMENT REVIEW BOARD

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Phone: (780) 496-5026

NOTICE OF DECISION 0098 370/11

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 16, 2011, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
3034337	10125 - 113 Street NW	Plan: B4 Block: 12 Lot: 107	\$549,000	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
Jerry Sumka

BACKGROUND

The subject property is undeveloped land located in the Oliver neighbourhood with DC2 zoning (effective zoning CO). The parcel consists of 7.486 square feet.

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 three direct sales comparables ranging in time adjusted sale price from \$34.16 to \$48.51 per square foot. The average was \$42.45, the median was \$44.69, and the requested value was \$45.00 per square foot. The 2011 assessment is \$73.33 per square foot.

The Complainant argued in rebuttal that the Respondent's comparables were on major arterial roadways and not located near the subject property.

POSITION OF THE RESPONDENT

The Respondent submitted five direct sales comparables ranging in time adjusted sale price from \$52.55 to \$97.40 per square foot. The Respondent stated that the comparable at 10972 – 124 Street was considered to be a non arms length sale and asked that it not be considered in the analysis. The indicated value was \$52.55 per square foot. The average of the four remaining sales comparables was \$81.52 per square foot.

The Respondent further argued that the Complainant's comparables were all multi-residential zoning and were not comparable to the subject which is zoned DC2.

DECISION

Confirm.

REASONS FOR THE DECISION

The Board determined that sales comparables should be zoned similarly to the subject property. The Complainant's comparables were zoned multi-residential (RA6 and RA7) and therefore the Board placed less weight on them as the subject was zoned DC2 (effective zoning CO).

The Board further recognized that the average adjusted sale price of the Respondent's comparables at \$81.52 when adjusted by 10% for location supports the assessment of the subject at \$73.33 per square foot.

DISSENTING OPINION AND REASONS

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: 854486 ALBERTA INC