



ASSESSMENT REVIEW BOARD

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

NOTICE OF DECISION 0098 378/11

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 30, 2011, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
3944758	13455 Fort Road NW	Plan: 9323597 Block: Y Lot: 2D	\$1,311,000	Annual New	2011

Before:

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

Board Officer:

Annet Adetunji

Persons Appearing on behalf of Complainant:

Chris Buchanan, Altus Group

Persons Appearing on behalf of Respondent:

Blaire Rustulka, Assessor, City of Edmonton

PRELIMINARY MATTERS

Upon questioning by the Presiding Officer, the parties present indicated no objection to the composition of the Board. In addition, the Board members indicated no bias with respect to this file.

BACKGROUND

The subject property consists of 53,301 square feet of land, zoned IB, and situated in the Belvedere subdivision. The improvement is a one storey retail/wholesale warehouse which is 5,276 square feet.

ISSUE(S)

1. What is the market value of the subject land as of July 1, 2010?
2. Is the improvement value of the subject correctly depreciated?

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 submitted nine direct sales comparables ranging in time adjusted sale price from \$8.39 to \$15.63 per square foot. The average is \$11.70 per square foot and the requested value is \$12.00 per square foot.

The Complainant further argued that the improvement value of \$272,535 should be reduced to \$262,413 because the assessment neglected to account for the depreciation as indicated in the age life tables as set out in the Marshall/Swift manual used in the assessment calculations.

POSITION OF THE RESPONDENT

The Respondent provided six direct sales comparables ranging in time adjusted sale price from \$15.62 to \$22.56 per square foot. The average indicated \$19.55 per square foot, supporting the assessment of the land portion of the subject at \$19.54 per square foot.

The Respondent had no issue with regard to the Complainant's calculation of depreciation of the improvements.

DECISION

Reduce the improvement assessment from \$272,535 to \$262,413. Confirm the land assessment at \$1,038,504. Reduce the total assessment from \$1,311,000 to \$1,301,000.

REASONS FOR THE DECISION

The Board was not persuaded that the Complainant's direct sales comparables were sufficiently similar to the subject in terms of size, access, service, or location.

In regard to the issue of depreciation on the improvement value the Board is of the view that this is an error in the assessment calculations and should be corrected.

DISSENTING OPINION AND REASONS

There was no dissenting opinion.

Dated this 1st day of December, 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: Delwil Holdings Ltd