



## **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 381/10**

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 a hearing held between August 23 and October 21, 2010 respecting a complaint for:

<b>Roll Number</b> 3200854	<b>Municipal Address</b> 10557 108 Street NW	<b>Legal Description</b> Plan: B4 Block: 7 Lot: 163 & 164
<b>Assessed Value</b> \$1,148,000	<b>Assessment Type</b> Annual – New	<b>Assessment Notice for:</b> 2010

#### **Before:**

Tom Robert, Presiding Officer  
Dale Doan, Board Member  
Mary Sheldon, Board Member

#### **Board Officer:**

Segun Kaffo

#### **Persons Appearing: Complainant**

Walid Melhem

#### **Persons Appearing: Respondent**

Mary-Alice Lesyk, Assessor  
Steve Lutes, Law Branch

### **PROCEDURAL MATTERS**

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

All parties giving evidence during the proceedings were sworn by the Board Officer.

## **PRELIMINARY MATTERS**

The parties agreed that all evidence, submissions and argument on Roll # 8480097 would be carried forward to this file to the extent that matters were relevant to this file. In particular, the Complainant chose not to pursue arguments with respect to the evidence he had provided regarding the income approach to value.

The Complainant and the Respondent presented to the Board differing time adjustment figures for industrial warehouses based on the Complainant's submission that some data used in the preparation of the Respondent's time adjustment model was faulty. The Board reviewed the data from the Complainant used in the preparation of his time adjustment figures and was of the opinion that the data used was somewhat questionable (Exhibit C-2). In any event, the differences between the time adjustment charts used by the parties for industrial warehouses were small and in many cases of little significance. Therefore, the Board has accepted the time adjustment figures used by the Respondent.

## **BACKGROUND**

The subject property is a medium warehouse built in 1958 (effective year built is 1968) and located in the Central McDougall subdivision of the City of Edmonton. The property has a total building area of 9,396 square feet and site coverage of 67%.

## **ISSUES**

The Complainant had attached a schedule listing numerous issues to the complaint form. However, most of those issues had been abandoned and the issue left to be decided was as follows:

- What is the typical market value of the subject property?

## **LEGISLATION**

***The Municipal Government Act, R.S.A. 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 presented six direct sales comparables ranging in value from \$80.59 to \$160.56 per sq. ft. with an average of \$97.48 per sq. ft. The sale at \$160.56 was not included in the calculation of the average as it was considered to be an outlier.

The Complainant argued that the assessment is not indicative of market value and requested a reduction to \$915,500, based on a value of \$97.44 per sq. ft.

## **POSITION OF THE RESPONDENT**

The Respondent argued that the assessment is correct and representative of market value and in support of this argument presented five direct sales comparables ranging in value from \$125.45 to \$159.57 per sq. ft.

The Respondent also submitted six equity comparables ranging from \$120 to \$137 per sq. ft. in support of the argument that the assessment is fair and equitable when compared to similar properties.

## **DECISION**

The decision of the Board is to confirm the current assessment at \$1,148,000.

## **REASONS FOR THE DECISION**

The Board recognizes that both parties presented the same two comparables at 10550 – 110 Street and 10523 – 108 Street. While the sale at 10550 – 110 Street is considered to be an outlier by the Complainant, the sale of the second property at 10523 – 108 Street, which is in close proximity to the subject and is similar in terms of size, site coverage and age, supports the assessed value.

Further, the Respondent's equity comparables located within the same Central McDougall area, with similar size and site coverage indicate a range of \$120 to \$137 per sq. ft. These comparables when adjusted for age would also support the assessed value.

## **DISSENTING OPINION AND REASONS**

There was no dissenting opinion.

Dated this 4th day of November, 2010, 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  
Dunnet Investments Ltd.