



## ASSESSMENT REVIEW BOARD

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

### NOTICE OF DECISION      0098 383/11

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 22, 2011, respecting a complaint for:

| Roll Number | Municipal Address   | Legal Description                | Assessed Value | Assessment Type | Assessment Notice for: |
|-------------|---------------------|----------------------------------|----------------|-----------------|------------------------|
| 3047412     | 11814 168 STREET NW | Plan: 8521245<br>Block: 4 Lot: 1 | \$943,500      | Annual New      | 2011                   |

#### **Before:**

Dean Sanduga, Presiding Officer  
Petra Hagemann, Board Member  
Tom Eapen, Board Member

**Board Officer:** Karin Lauderdale

#### **Persons Appearing on behalf of Complainant:**

Jordan Thachuk, Altus Group

#### **Persons Appearing on behalf of Respondent:**

Darren Nagy, 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 is an undeveloped parcel of land located at the corner of 118<sup>th</sup> Avenue and 168 Street in the Carleton Square Industrial subdivision of the City of Edmonton. The property has a site area of 49,945 square feet.

## **ISSUE(S)**

Is the 2011 assessment of the subject property at \$943,500 fair and equitable?

## **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 the Board with a 43 page report (C-1) and a 6 page rebuttal (C-2) challenging the correctness of the assessment of the subject property. The report contained assessment detail report, map and photographs of the subject as well as 11 sales comparables (-1, pg 11). These comparables were located in the north west quadrant of the City, similar to the subject and most were located on a major roadway similar to the subject. The sizes of these properties varied from 24,323 square feet to 4,884,495 square feet. The average of the time adjusted sale price was \$13.95 per square foot compared to the assessment of the subject at \$18.89 per square foot. The Complainant suggested sale #4 to be the best comparable of the group.

The Rebuttal (C-2) showed tables combining the Complainant's and Respondent's sales comparables indicating the assessment is excessive.

The Complainant requests the Board to reduce the assessment of the subject to \$14.00 per square foot or \$699,224.

### **POSITION OF THE RESPONDENT**

The Respondent submitted a 63 page assessment brief (R-1) defending the assessment of the subject property. The brief reviewed the mass appraisal process, law and legislation and included 4 sales comparables to support the assessment of the subject property.

These sales comparables were similar to the subject in location (northwest quadrant of the City), zoning, size and their average time adjusted sale price of \$19.42 per square foot supports the assessment.

### **DECISION**

The decision of the Board is to reduce the 2011 assessment of the subject property from \$943,500 to \$771,500.

### **REASONS FOR THE DECISION**

The Board reviewed the Complainant's sales comparables and placed less weight on the following sales:

- Sale #4 although on a major road, was sold Jan 2006 by agreement for sale and executed in 2010.
- Sale #5 is not located on a major road.
- Sale #7 is not located on a major road and much smaller than the subject.
- Sale #8 is also much larger than the subject.
- Sale #10 @ 4,448,495 square feet and being a multiple sale is not comparable to the subject and was withdrawn by the Complainant.
- Sale #11 was not located on a major road and also larger than the subject.

The Board considered the Respondent's comparables however was most persuaded by the Complainant sales #1, 2, 3, 6 and 9 which have an average time adjusted sales price of \$15.44 per square foot. Applying this to the 49,963 square feet of the subject, a value of \$771,429 was derived.

The Board reduces the 2011 assessment of the subject property to \$771,500.

### **DISSENTING OPINION AND REASONS**

None.

Dated this 1st day of December, 2011, at the City of Edmonton, in the Province of Alberta.

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Dean Sanduga, Presiding Officer

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*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.*

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cc: CHEVRON CANADA LIMITED