



ASSESSMENT REVIEW BOARD

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

NOTICE OF DECISION 0098 384/11

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:
10092689	11855 160 STREET NW	Plan: 0725486 Block: 1 Lot: 4B	\$800,000	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 located at 11855-160 Street in the Hawin Estate Industrial subdivision of the City of Edmonton. The property is 55,234 square feet in size and zoned Industrial Business.

ISSUE(S)

Is the 2011 assessment of the subject property at \$800,000 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 submitted a 42 page brief (C-1) challenging the 2011 assessment. Eleven sales (C-1, pg 10) were presented as comparable to the subject. They are similar in location and somewhat similar in size and zoning. The average time adjusted sale price is \$13.95 per square foot. By applying \$13.00 per square foot to the size of the land, the Complainant is requesting a reduction in the 2011 assessment from \$800,000 to \$718,000.

POSITION OF THE RESPONDENT

The Respondent submitted a 68 page assessment brief (R-1) which contained information on the mass appraisal process, law and legislation and 4 sales (R-1, pg 19) in support of the assessment of the subject property.

These comparables are similar to the subject property in location, size and zoning. The time adjusted sales price is \$15.49 per square foot which supports the assessment of the subject. The Respondent requests the Board to confirm the 2011 assessment.

DECISION

The decision of the Board is to confirm the 2011 assessment.

REASONS FOR THE DECISION

The Board examined the sales comparables provided by the Complainant and placed less weight on comparable #2, 3, 6 and 8 as these sales were dissimilar to the subject in zoning, size date of sale and location.

The Board placed weight on the Complainant's sales comparables #1, 4, 5, 7, and 9 and noted that these sales averaging \$14.34 per sq. ft. support the 2011 assessment of the subject property.

The Complainant failed to provide compelling evidence to alter the current assessment.

DISSENTING OPINION AND REASONS

None

Dated this 2 day of December, 2011, at the City of Edmonton, in the Province of Alberta.

Dean Sanduga, 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: GREGG PROPERTIES CO LTD