



## ASSESSMENT REVIEW BOARD

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

### NOTICE OF DECISION      0098 387/11

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:
1553205	10629 178 STREET NW	Plan: 7721110 Block: 4 Lot: 16	\$633,000	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 10629-178 Street in the McNamara Industrial subdivision of the City of Edmonton. The property is 41,587 square feet .

## **ISSUE(S)**

Is the 2011 assessment of the subject property at \$633,000 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 35 page brief (C-1) challenging the 2011 assessment. Four 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 \$11.00 per square foot. By applying \$11.00 per square foot to the size of the land and improvement, the Complainant is requesting a reduction in the 2011 assessment from \$633,000 to \$469,000.

## **POSITION OF THE RESPONDENT**

The Respondent submitted a 2011 assessment brief (R-1) which contained information on the mass appraisal process, law and legislation, 4 sales (R-1, pg 20) and 4 equity comparables (R-1, pg 26) 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 average assessment of these equity comparables, (which are the same properties as the sales comparables), is \$13.65 per square foot compared to the subject's assessment of \$15.22 per

square foot. The Respondent advised the Board that equity comparable #3 is only serviced by water which would explain the low assessment of \$11.33 per square foot.

The Respondent requests the Board to confirm the 2011 assessment

### **DECISION**

The decision of the Board is to reduce the 2011 assessment of the subject property from \$633,000 to \$550,500.

### **REASONS FOR THE DECISION**

The Board examined the sales comparables provided by the Complainant and placed less weight on comparable #2 as it is zoned AGI resulting in a lesser value than the subject which is zoned IM. Sales comparable #3 is much larger than the subject and no adjustment was provided to allow the Board to evaluate comparability due to the size differential.

The Board reviewed the Respondent's 4 sales comparables and determined the following: Sale #2 appears to be an outlier as the time adjusted sales price of \$19.12 per square foot varies significantly from its assessment of \$14.28 per square foot; therefore less weight was placed on this sale/equity comparable. Sales/equity comparable #3 only has water for servicing and no adjustments have been made to the time adjusted sale price or the assessment to allow the Board to evaluate its comparability. It is also smaller than the subject; therefore the Board placed less weight on this sale.

The Board was persuaded by sales comparable #1 and #4 of the Complainant and #1 and #4 of the Respondent. By averaging these four comparables, a time adjusted price of \$13.24 per square foot was derived. By applying this to the 41,600 square feet of the subject and adding the improvement, a value of \$550,500 is derived. The Board is of the opinion the reduced assessment of \$550,500 is fair and equitable.

### **DISSENTING OPINION AND REASONS**

None

Dated this 1 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: BRANDT TRACTOR PROPERTIES LTD