



ASSESSMENT REVIEW BOARD

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Phone: (780) 496-5026

NOTICE OF DECISION 0098 388/11

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:
1553239	10630 176 STREET NW	Plan: 7721110 Block: 4 Lot: 18	\$2,083,000	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 vacant land used for the storage and is located at 10630 176 street NW in the McNamara Industrial neighbourhood of northwest Edmonton. The lot size is approximately 121,097 square feet. The subject was assessed on the direct sales comparable method with a 2011 assessment of \$2,083,000.

ISSUE(S)

Is the 2011 assessment of the subject property at \$2,083,000 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 provided a 36 page assessment brief (C-1) and a 6 page rebuttal (C-2) . The Complainant provided 4 comparable sales located close to the subject (C-1 page 11). The Complainant argued that the subject property is assessed higher than market value. A rebuttal was presented by the Complainant indicating that a combined sales analysis of \$15.10 per sq. ft. (C-2 pg 5)

The Complainant requested a reduction in the 2011 assessment to \$11.00 per sq. ft resulting in a requested land and improvement value of \$1, 339, 500.

POSITION OF THE RESPONDENT

The Respondent provided an assessment brief (R-1, 26 pages) including 5 sales comparable, all of which are located in the northwest area of the City. The subject property is currently being used as a storage facility , the Respondent requested to confirm the assessment.

DECISION

The decision of the Board is to confirm the 2011 assessment at \$ 2,083,000.

REASONS FOR THE DECISION

The Board agrees with the Respondent sale comparables provided which are similar to the subject in location and exposure, whereas the Complainant's sales comparables are interior properties

The Complainant failed to provide compelling evidence to convince the Board to alter the 2011 assessment for the subject.

DISSENTING OPINION AND REASONS

None

Dated this 1 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: BRANDT TRACTOR PROPERTIES LTD