



ASSESSMENT REVIEW BOARD

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

NOTICE OF DECISION NO. 0098 394/11

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 15, 2011, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
10041217	9650 Ellerslie Road SW	Plan: 0525096 Block: 1 Lot: 4	\$4,389,000	Annual New	2011

Before:

Tom Robert, Presiding Officer
Judy Shewchuk, Board Member
Ron Funnell, Board Member

Board Officer: Segun Kaffo

Persons Appearing on behalf of Complainant:

Jordan Thachuk

Persons Appearing on behalf of Respondent:

Chris Rumsey, Assessor, City of Edmonton
Jerry Sumka, Assessor, City of Edmonton

BACKGROUND

The subject property is undeveloped land zoned CSC and situated on the north side of Ellerslie Road. The land consists of 188,152 square feet.

ISSUE(S)

What is the market value of the subject property as of July 1, 2010?

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 four direct sales comparables ranging in time adjusted sale price from \$14.96 to \$20.18 per square foot. The average was \$18.65, the median was \$19.73, and the requested value was \$19.50 per square foot. The subject was assessed for 2011 at \$23.33 per square foot.

POSITION OF THE RESPONDENT

The Respondent provided five direct sales comparables ranging in time adjusted sale price from \$20.18 to \$32.90 per square foot with an average of \$24.93 per square foot.

DECISION

Confirm.

REASONS FOR THE DECISION

The Board was persuaded by the Respondent's sales comparables #1, #2, and #3 (Exhibit R-1, page 15) which were similar in size, location, and zoning to the subject. The time adjusted sale prices ranging from \$20.18 to \$32.90 support the 2011 assessment at \$23.33 per square foot.

DISSENTING OPINION AND REASONS

There were no dissenting opinions.

Dated this 23rd day of November, 2011, at the City of Edmonton, in the Province of Alberta.

Tom Robert, 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: SOBEYS CAPITAL INCORPORATED