



## ASSESSMENT REVIEW BOARD

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

### NOTICE OF DECISION NO. 0098 401/11

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 21, 2011, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
1590272	11404 170 Street NW	Plan: 8022130 Block: 1 Lot: 10A	\$1,082,500	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

#### Persons Appearing on behalf of Respondent:

Darren Nagy, Assessor, City of Edmonton

## **BACKGROUND**

The subject property is a parking lot located at municipal address 11404 170 Street NW in the Armstrong Industrial neighbourhood of northwest Edmonton. The lot is approximately 56,110 square feet, it was assessed on the direct sales comparable method and its 2011 assessment is \$1,082,000.

## **ISSUE(S)**

Is the assessment of similar properties indicating a lower value?

## **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 41 pages brief (C-1).

The Complainant believes that the 2010 assessment of the subject property equating to \$1,082,500 per acre or \$19.38 per sq. ft. is not fair and equitable in relation to similar properties..

To support this position, the Complainant submitted six sales comparables (C-1 page 10), all located in northwest Edmonton, and seven Land value equity comparables (C1 page 13).

The Complainant requested that the assessment be reduced to \$782,106 which equates to \$14.00 per sq. ft.

## **POSITION OF THE RESPONDENT**

The Respondent presented five sales comparables (R-1 page 20) that resulted in an average time-adjusted sales price of \$19.38 per sq. ft. and six equity comparables (R-1 page 27) It is the Respondent's position that the assessment reflects the correct value for the property using mass appraisal methods and requests that the 2011 assessment be confirmed at \$1,082,500.

## **DECISION**

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

## **REASONS FOR THE DECISION**

The Board considered the Complainant's sales comparables # 4, 5, and #6 and noted that the sales are dissimilar to the subject property in size, location and date of sale. Sale #1 is three times the size of the subject, sales #2 and # 3 are 50% smaller than the subject. Sales # 4, 5 and 6 are improved sites and no equity assessment is available. Sales # 7 sold in 2006 and concluded in 2010.

The Board is persuaded by the Respondent's sales comparables as 2 of 3 are located major road, similar in size and location to the subject.

The Respondent's 5 out of 6 equity comparables are similar to the subject in size, location and assessment value.

## **DISSENTING OPINION AND REASONS**

Dated this 12<sup>th</sup> 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: BANKS INTERNATIONAL TRADING CORP