



## ASSESSMENT REVIEW BOARD

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

### NOTICE OF DECISION NO. 0098 425/11

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 16, 2011, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
2195279	14704 119 Avenue NW	Plan: 1498NY Block: 3 Lot: 7A	\$2,218,500	Annual New	2011

#### Before:

Hatem Naboulsi, Presiding Officer  
Brian Hetherington, Board Member  
Howard Worrell, Board Member

**Board Officer:** Jason Morris

#### Persons Appearing on behalf of Complainant:

Walid Melhem, Altus Group

#### Persons Appearing on behalf of Respondent:

Mary-Alice Nagy, Assessor, City of Edmonton  
Stephen Leroux, Assessor, City of Edmonton  
Tanya Smith, Law Branch, City of Edmonton

## **PRELIMINARY MATTERS**

The parties indicated that they had no objection to the composition of the Board. The Board members indicated that they did not have any bias with regard to the matters under appeal.

## **BACKGROUND**

The subject property is a 26,595 square foot industrial warehouse built in 1965 on a 72,551 square foot lot. The single tenant building occupies 33% of the site located at 14704 119 A Avenue in the Dominion industrial subdivision.

The 2011 assessment of the subject is \$2,218,500, prepared using the sales comparison approach.

## **ISSUE(S)**

The Complainant provided a schedule of issues to the Board (C-1, pgs 3-4) but confirmed the following was the only issue before the Board.

- What is the appropriate assessment for the subject property compared to other properties in the area?

## **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 presented a 39-page brief (C-1) which included a schedule of issues, executive summary, aerial maps, photos, sample legal submissions and six comparable sales with supporting network reports.

These sales comparables indicated site coverages ranging from 27% to 45%, total building areas ranging from 10,573 to 44,100 square feet and time-adjusted sale prices ranging from \$66.30 to \$107.52 per square foot. Two of these seven comparables, #5 and #6 have upper offices.

These six properties show an average price of \$80.96 per square foot with a median price of \$80.14 per square foot. He submitted that this supports the request of \$80.00 per square foot or \$1,934,000 for the subject property.

The Complainant also provided a rebuttal argument (C-2) to the Respondent's brief. In this rebuttal the Complainant outlined that eight of the sales comparables provided by the Respondent were incomparable property, and that six of those comparables contained a second floor, which the subject property did not.

### **POSITION OF THE RESPONDENT**

A 34-page brief (R-1) was presented by the Respondent which included an overview of mass appraisal, photos of the subject property, a direct sales detail report, 10 sales comparables and supporting network reports.

The 10 comparables showed a range of site coverage from 15% to 50% and total building areas ranging from 13,422 to 41,554 per square foot. Six of the comparables # 4, 5,6,7,8 and 10 had second floor office space. The ten properties show an average price of \$105.22 which the Respondent argued supports the 2011 assessment of \$91.75 per square foot or \$2,218,500.

### **DECISION**

The board decision is to reduce the assessment from \$2,218,500 to \$2,046,000.

### **REASONS FOR THE DECISION**

The Board looked at the 13 sales comparables presented by both parties. Three of the sales comparables were also used by both parties. Unlike the subject, two of these properties had second floor offices.

The Board finds that most of the sales comparables submitted by the Respondent are not comparable to the subject. The majority had finished upper floors and had a wide range of building size and site coverage.

The Board is persuaded by the Complainant's sales comparables and finds comparables # 2, 3, 4 to be the most relevant to the subject from the perspectives of age, size, site coverage, main floor area and location.

Address	Year built	site area	Square footage	TASP/SF
17503 108 Avenue	1979	37%	13,502	\$98.31
14215 120 Avenue	1980	33%	15,663	\$79.42
12930 148 Street	1971	34%	44,100	\$76.15
Subject				
14704 119 Avenue	1965	33%	24,180	\$91.75

The average time-adjusted sale price per square foot of the three properties is \$84.63 which equates to a total value of \$2,046,111 rounded down to \$2,046,000.

### **DISSENTING OPINION AND REASONS**

There was no dissenting opinion.

Dated this 18<sup>th</sup> day of November, 2011, at the City of Edmonton, in the Province of Alberta.

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Hatem Naboulsi, 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: JAMIESON GREER HOLDINGS LTD