



## **ASSESSMENT REVIEW BOARD**

MAIN FLOOR CITY HALL  
1 SIR WINSTON CHURCHILL SQUARE  
EDMONTON AB T5J 2R7  
(780) 496-5026 FAX (780) 496-8199

### **NOTICE OF DECISION NO. 0098 436/10**

Altus Group Ltd  
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 between August 23 and October 21, 2010 respecting a complaint for:

<b>Roll Number</b> 1615251	<b>Municipal Address</b> 12150 160 Street NW	<b>Legal Description</b> Plan: 7620898 Block: 3 Lot: 11 /12/13
<b>Assessed Value</b> \$3,867,500	<b>Assessment Type</b> Annual – New	<b>Assessment Notice for:</b> 2010

#### **Before:**

Tom Robert, Presiding Officer  
Dale Doan, Board Member  
Mary Sheldon, Board Member

#### **Board Officer:**

Segun Kaffo

#### **Persons Appearing: Complainant**

Walid Melhem

#### **Persons Appearing: Respondent**

Kevin Xu, Assessor  
Steve Lutes, Law Branch

### **PROCEDURAL MATTERS**

Upon questioning by the Presiding Officer, the parties indicated no objection to the composition of the Board. In addition, the Board members indicated no bias with respect to the file.

All parties giving evidence during the proceedings were sworn by the Board Officer.

## **PRELIMINARY MATTERS**

The parties agreed that all evidence, submissions and argument on Roll # 8480097 would be carried forward to this file to the extent that matters were relevant to this file. In particular, the Complainant chose not to pursue arguments with respect to the evidence he had provided regarding the income approach to value.

The Complainant and the Respondent presented to the Board differing time adjustment figures for industrial warehouses based on the Complainant's submission that some data used in the preparation of the Respondent's time adjustment model was faulty. The Board reviewed the data from the Complainant used in the preparation of his time adjustment figures and was of the opinion that the data used was somewhat questionable (Exhibit C-2). In any event, the differences between the time adjustment charts used by the parties for industrial warehouses were small and in many cases of little significance. Therefore, the Board has accepted the time adjustment figures used by the Respondent.

## **BACKGROUND**

The subject property is a medium warehouse built in 1979 and located in the Hawin Park Estate Industrial subdivision of the City of Edmonton. The property has a total building area of 36,760 square feet with site coverage of 28%.

## **ISSUES**

The Complainant had attached a schedule listing numerous issues to the complaint form. However, most of those issues had been abandoned and the issue left to be decided was as follows:

- What is the typical market value of the subject property?

## **LEGISLATION**

***The Municipal Government Act, R.S.A. 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 four direct sales comparable ranging in value from \$70.11 to \$114.10 per sq. ft. indicating a requested value of \$85.46 per sq. ft. or \$3,078,500.

## **POSITION OF THE RESPONDENT**

The Respondent presented seven sales comparables ranging in value from \$61.93 to \$151.21 per sq. ft. Three of the Respondent's comparables were the same as the Complainants.

Further, the Respondent put forward seven equity comparables ranging in value from \$98 .90 to \$119.38 per sq. ft.

## **DECISION**

The decision of the Board is to confirm the current assessment at \$3,867,500.

## **REASONS FOR THE DECISION**

The Respondent's sales comparable # 2 at \$151.21 per sq. ft. is similar to the subject in year built and size as well as comparable # 3 at \$108.41 per sq. ft. which is similar in site coverage and size but older (1962 versus 1979). Both parties used comparable # 1 at \$120.53 per sq. ft. smaller than the subject in size and site coverage at 18% versus 28%.

It would appear that with adjustment the sales comparables support the current value of the subject particularly the Respondent's sale# 3 of.

The equity comparables close in site coverage, age and size further support the conclusions.

## **DISSENTING OPINION AND REASONS**

There was no dissenting opinion.

Dated this 4th day of November, 2010, at the City of Edmonton, in the Province of Alberta.

---

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, R.S.A. 2000, c.M-26.*

---

CC: Municipal Government Board  
Loblaw Properties West Inc.