



ASSESSMENT REVIEW BOARD

MAIN FLOOR CITY HALL
1 SIR WINSTON CHURCHILL SQUARE
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NOTICE OF DECISION NO. 0098 536/10

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 November 2, 2010 respecting a complaint for:

Roll Number 3223609	Municipal Address 10316 – 108 St. NW	Legal Description Plan: B2 Block: 8 Lots: 130-132
Assessed Value \$3,573,000	Assessment Type Annual New	Assessment Notice for: 2010

Before:

Tom Robert, Presiding Officer
Tom Eapen, Board Member
John Braim, Board Member

Board Officer:

J. Halicki

Persons Appearing: Complainant

Walid Melhem, Agent
Altus Group Ltd.

Persons Appearing: Respondent

John Ball, Assessor
Assessment and Taxation Branch

PRELIMINARY MATTERS

The Complainant and Respondent agreed to carry forward common argument, evidence, and questions from roll #3074358 to this roll.

BACKGROUND

The subject property is a two-storey office/warehouse building located in the Downtown subdivision. The property has a surface area of approximately 22,488 sq. ft.

ISSUE(S)

1. What is the market value of the subject property?
2. Is the subject assessed fairly and equitably with similar properties?

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 five direct sales comparables ranging from \$63.44/sq. ft. to \$144.23/sq. ft. (average of \$102.66/sq. ft; median \$104.85/sq. ft.) when time adjusted. The Board noted a value of \$115.00/sq. ft. was requested (C1, pg. 8).

Further, the Complainant presented five equity comparables ranging from \$64.54/ sq. ft. to \$123.84/sq. ft. (average of \$96.98/sq. ft; median of \$107.10/ sq. ft.)(C1, pg. 10).

POSITION OF THE RESPONDENT

The Respondent asserts that the subject property was properly assessed according to the principles of mass appraisal and the commercial vacant land assessment model. The subject's assessed value is \$158.87/sq. ft. (R1, pg. 33).

The Respondent provided four sales comparables ranging in value per square foot from \$175.10 to \$331.48 (average of \$254.01/sq. ft.) when time adjusted.

DECISION

The decision of the Board is to reduce the total 2010 assessment from \$3,573,000 to \$2,901,000.

REASONS FOR THE DECISION

The Board is of the opinion that the sales comparables as presented by the Complainant are most similar to the subject property. The Board concludes that sale #4 at 10233 – 105 Street is somewhat smaller than the subject at 7,499 sq. ft. (subject at 22,488 sq. ft.); is the same zoning

and reasonably close in terms of location with a time-adjusted value of \$144.23/sq. ft. (C1, pg. 8).

Sale #5 at 10230 – 105 Street is somewhat larger in size at 37,440 sq. ft., but is of similar zoning; is reasonably close to the subject property and has a time-adjusted value of \$113.21/sq. ft.

It is the view of the Board that an adjustment should be considered for both of these comparables in terms of size and a value of approximately \$129.00/sq. ft. appears to fall within a range that adjusts for the size of both comparables. Therefore, the Board reduces the subject from \$3,573,000 to \$2,901,000 (rounded).

In regard to the issue of equity, the Complainant's comparables were all reasonably close to the subject property and had the the same zoning. The Board also noted that all of equity comparables presented by the Complainant support a reduced value.

The Board noted no equity argument was advanced by the Respondent.

DISSENTING OPINION AND REASONS

There were no dissenting opinions.

Dated this tenth day of November, 2010 A.D., 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
City of Edmonton, Assessment and Taxation Branch
Wild Rose Power Centre Inc.