



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 559/10

Canadian Valuation Group
1200 10665 Jasper Avenue
Edmonton, AB T5J 3S9

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 9, 2010 respecting a complaint for:

| | | |
|--------------------------------------|---|--|
| Roll Number 1522622 | Municipal Address 16602 114 Avenue NW | Legal Description Plan: 4928TR Block: 2 Lot: 3 |
| Assessed Value \$4,880,500 | Assessment Type Annual - New | Assessment Notice for 2010 |

Before:

Rob Reimer, Presiding Officer
George Zaharia, Board Member
Judy Shewchuk, Board Member

Board Officer: Annet N. Adetunji

Persons Appearing: Complainant

Tom Janzen, CVG

Persons Appearing: Respondent

Marty Carpentier, Assessment & Taxation Branch

PRELIMINARY MATTERS

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

BACKGROUND

The subject property is a multi-tenant office/warehouse building consisting of a total of 61,081 square feet, including 9,180 square feet of office space. It is located in west Edmonton and was built in 1974. It is situated on a 3.36 acre lot for a site coverage of 41%.

ISSUES

1. Is the 2010 assessment of the subject property fair and equitable?
2. Is the 2010 assessment of the subject property supported by the sales of 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 submitted three sales comparables which are summarized on page 1 of exhibit C-1. These comparables illustrate time adjusted sale prices ranging from \$57.80 to \$73.53 per square foot. They range in size from 50,250 to 70,567 square feet with site coverages ranging from 42% to 52%.

The Complainant asked the Board to reduce the assessment to \$4,458,500 or \$73 per square foot.

POSITION OF THE RESPONDENT

The Respondent submitted nine sales comparables which are summarized on page 16 of exhibit R-1 showing time adjusted sale prices ranging from \$88.45 to \$136.09 per square foot. The comparables range in size from 40,400 to 134,607 square feet with site coverages ranging from 32% to 46%.

The Respondent also submitted six equity comparables which are summarized on page 26 of exhibit R-1 showing 2010 assessments ranging from \$82.52 to \$88.33.

The Respondent pointed out that the purchaser of the Complainant's comparable #3 had spent \$1,000,000 on building renovations and mechanical upgrades after the purchase. The Respondent added the \$1,000,000 to the reported sale price of \$4,000,000 which resulted in a recalculated sale price of \$72.24 per square foot.

The Respondent asked the Board to confirm the assessment at \$4,880,500.

DECISION

The decision of the Board is to confirm the 2010 assessment of \$4,880,500.

REASONS FOR THE DECISION

The Board finds that the Complainant's comparables are reasonably similar to the subject property and would appear to support a reduction in the assessment.

The Board carefully considered the Respondent's sales comparables and is of the opinion that they support the current assessment. The Board noted that the Respondent's sales comparables were all higher than the subject property and would, in fact, seem to support an increase in the assessment. However, since the Respondent did not request an increase, the Board is confirming the 2010 assessment of \$4,880,500.

The Board is persuaded, based on the evidence and argument, that the 2010 assessment at \$4,880,500 is fair and equitable.

DISSENTING OPINION AND REASONS

There were no dissenting opinions.

Dated this 18th 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
Azmer Investments Corp.
William A. C. Rowe