



## ASSESSMENT REVIEW BOARD

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

July 14, 2010

### NOTICE OF DECISION NO. 0098 60/10

Canadian Valuation Group  
1200 10665 Jasper Ave.  
Edmonton, AB  
T5J3S9

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 Assessment Review Board (ARB) from a hearing held on July 14, 2010 respecting an appeal on the 2010 Annual New Realty Assessment.

<b>Roll Number</b> 1143528	<b>Municipal Address</b> 11841 154 St. N.W.	<b>Legal Description</b> Plan: 8123164 Block: 8 Lot: 1
<b>Assessed Value</b> \$1,423,500	<b>Assessment Type</b> Annual New	<b>Assessment Year</b> 2010

#### **Before:**

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

**Persons Appearing: Complainant**  
Tom Janzen, CVG

**Persons Appearing: Respondent**  
Mary-Alice Lesyk, Assessor, City of Edmonton  
Steve Lutes, Lawyer, City of Edmonton

#### **PRELIMINARY MATTERS**

No preliminary matters were raised by the parties.

#### **BACKGROUND**

The subject property is a small warehouse property consisting of 11,600 sq. ft. with minimal second floor space of 370 sq. ft. It is located in the N.W. at 11841 154 st. and was built in 1987.

#### **ISSUES**

Is the assessment of the subject property assessed equitably and according to market value as required by s. 467(3) of the Municipal Government Act?

#### **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 put forward seven comparables with a range in value from \$50.53/ sq. ft. to \$100.19/sq. ft. (the adjustments were for time and site coverage) which indicated the assessment is high.

### **POSITION OF THE RESPONDENT**

The Respondent seven sales indicate a value range from \$103.98 to 193.62 (only time adjusted) indicating the assessment is correct.

### **DECISION**

The Board revises the assessment at \$1,206,500, from \$1,423,500.

### **REASONS FOR THE DECISION**

The Board reviewed the sales of both parties and have concluded that the sales in 2006/07 were dated and put less weight toward these comparables.

The Board further reviewed the Complainant sales. The adjustments for time and site coverage lacked substantive supporting evidence. The most comparable sale put forward was from the City of Edmonton, although only one sale, it does appear to be the best comparable put forward at approximately \$104/sq. ft. (12819 – 144st.)

The Board is of the opinion that this sale best supports the value of the subject property and therefore reduces the subject to \$104/sq. ft. at 11,600 sq. ft.

Both parties put forward equity arguments; the Respondent with 6 assessment comparables and the Complainant put forward ASR calculations based on the City's sales. The Board has reviewed both of these schedules and concluded that the value arrived at of \$104/ sq. ft. is equitable to each schedule.

Although the Respondent argues that the calculated A.S.R.s represent the total number of properties particular to a specific grouping, the Board questions the A.S.R.s of specific comparables used to demonstrate equity.

Dated this 14<sup>th</sup> day of July, 2010 at the City of Edmonton, in the Province of Alberta.

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Presiding Officer

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CC: PETERS HOLDINGS CO LTD, ASSESSMENT MV ADVISORS INC - O/A ASSESSMENT  
ADVISORY GROUP