



## **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 723/10**

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 January 10 and 18, 2011 respecting a complaint for:

<b>Roll Number</b>	<b>Assessed Value</b>	<b>Assessment Type</b>	<b>Municipal Address</b>	<b>Assessment Notice for:</b>
489245	\$741,506	Business Assessment	800 10180 101 Street NW	2010

#### **Before:**

Robert Mowbrey, Presiding Officer  
Jim Wall, Board Member  
Jasbeer Singh, Board Member

#### **Board Officer:**

Segun Kaffo

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

None

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

None

### **BACKGROUND**

At a hearing held on December 16, 2010, the Complainant stated that they had discussions with the Respondent and both parties agreed that the decision on the corresponding realty assessment appeal with regards to market rental rate should be applied to the business assessment appeal. Accordingly, the Complainant requested a postponement that would enable the outcome of the realty appeal to be applied to the business assessment appeal. The Respondent agreed.

Both the Complainant and the Respondent agreed to give the Board an evidence package, so their attendance at the hearing would not be needed.

The Board granted the postponement request.

## **ISSUE**

- Is the business assessment too high?

## **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.*

**City of Edmonton Bylaw 15339;**

Part II s.4(3)(a) *Assessment will be prepared based on one of the following methods:*

- (i) Business Class I: One hundred percent (100%) of the Net Annual Rental Value of the Premises occupied or used for Business purposes by the Class I Businesses,*  
*or*

Part I s.2(f) *“Net Annual Rental Value” means the value determined by the Assessor, through analysis of market information, to represent the typical rental value of the Premises, exclusive of customary operating costs and occupancy costs.*

## **DECISION**

The decision of the Board is to confirm the 2010 business assessment of \$741,506 in accordance with the confirmation of the realty assessment on roll number 1066331.

## **REASONS FOR THE DECISION**

The Board noted that business assessment follows realty assessment and therefore accepts the parties' submission that the business rate be based on the outcome of the realty assessment.

Therefore, based on the confirmation of the realty assessment, the Board confirms the business assessment.

## **DISSENTING OPINION AND REASONS**

There was no dissenting opinion.

Dated this 24<sup>th</sup> day of February, 2011, at the City of Edmonton, in the Province of Alberta.

---

**Robert Mowbrey**  
**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  
Nesbitt Burns Inc.