

NOTICE OF DECISION NO. 0098 74/12

Altus Group
780-10180 101 ST NW
EDMONTON, AB T5J 3S4

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 June 26, 2012, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
9976334	14811 114 Avenue NW	Plan: 9926484 Block: 3 Lot: B	\$5,209,000	Annual New	2012

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, RSA 2000, c M-26.

cc: SHAMROCK PROPERTY MANAGEMENT LIMITED

Edmonton Composite Assessment Review Board

Citation: Altus Group v The City of Edmonton, 2012 ECARB 974

Assessment Roll Number: 9976334

Municipal Address: 14811 114 AVENUE NW

Assessment Year: 2012

Assessment Type: Annual New

Between:

Altus Group

Complainant

and

The City of Edmonton, Assessment and Taxation Branch

Respondent

DECISION OF
Peter Irwin, Presiding Officer
Lillian Lundgren, Board Member
Ron Funnell, Board Member

Preliminary Matters

[1] 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 this file.

Background

[2] The subject property is a mini warehouse used for self-storage purposes and is located in the Huff Bremner Estate Industrial subdivision in the northwest of Edmonton. The site area is 173,637 square feet (sf) and the building on it has a building area of 101,992 sf. The property is zoned Medium Industrial (IM).

Issue(s)

[3] What is the correct land value?

Legislation

[4] The Municipal Government Act reads:

Municipal Government Act, RSA 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

[5] The Complainant presented a 38-page package of information to the Board (Exhibit C-1). The land is assessed at a value of \$2,542,872 or \$14.64 per sf which the Complainant submits is excessive.

[6] The Complainant directed the Board's attention to a table of property sales showing four comparables of northwest Edmonton properties (page 12, Ex. C-1), with time-adjusted sale prices (tasp) ranging from \$9.18 per sf to \$12.49 per sf. The average tasps was \$10.72 per sf and the median was \$10.91 per sf.

[7] The requested land assessment is \$1,953,418, based on \$11.25 per sf, combined with the building assessment of \$2,666,560 produces a value estimate of \$4,619,500.

Position Of The Respondent

[8] The Respondent presented a 12-page package of information to the Board (exhibit R-1) and directed the Board's attention to page 8, showing three sales comparables. The properties had tasps ranging from a low of \$12.69 per sf and a high of \$14.99 per sf. The Respondent submits that the comparables provided are supportive of the land assessment of \$14.64 per sf and requests that the Board confirm the assessment.

Decision

[9] The land assessment is reduced, based on \$12 per sf applied to 173,637 sf, producing a revised land assessment of \$2,083,644. Combined with the building assessment of \$2,666,560, the revised total assessment becomes \$4,750,204, rounded to \$4,750,000.

Reasons For The Decision

[10] With respect to the Complainant's sales comparables, the Board finds them sufficiently similar in size and location to the subject property. While three out of the four comparables have an Industrial Business (IB) zoning, compared to the subject's IM zoning, the Board understands that there is not a significant difference in the two different zonings. Therefore, the Board accepts the four comparables as indications of market value.

[11] With respect to the Respondent's sales comparables, the Board finds all three of them to be appropriate enough from a size and zoning perspective, and all located in the same quadrant of the City, and therefore also accepts them as indications of market value.

[12] Based on the best evidence of market value from both the Complainant's four comparables and the Respondent's three comparables, the Board finds that the average of \$12 per sf is the best indication of market value. The Board therefore applies the rate of \$12 to the land area of 173,637 sf to produce a revised land assessment of \$2,083,644.

[13] Conclusion: based on the above decision, the Board recalculates the total assessment as follows:

Land assessment: 173,637 sf @ \$12 =	\$2,083,644	
Improvements:	<u>\$2,666,560</u>	
Total assessment:	\$4,750,204	(rounded: \$4,750,000)

Heard commencing June 26, 2012.

Dated this 16th day of July, 2012, at the City of Edmonton, Alberta.

Peter Irwin, Presiding Officer

Appearances:

Chris Buchanan

Kelly Reimer

for the Complainant

Doug McLennan

for the Respondent