



ASSESSMENT REVIEW BOARD

Churchill Building
10019 103 Avenue
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NOTICE OF DECISION NO. 0098 808/11

Altus Group
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 on February 21, 2012, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
8873499	8804 53 AVENUE NW	Plan: 7620382 Block: 14 Lot: 1	\$3,888,500	Annual New	2011

Before:

Dean Sanduga, Presiding Officer
Dale Doan, Board Member
George Zaharia, Board Member

Board Officer: Segun Kaffo

Persons Appearing on behalf of Complainant:

Walid Melhem

Persons Appearing on behalf of Respondent:

Joel Schmaus, Assessor

PROCEDURAL MATTERS

[1] 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.

PRELIMINARY MATTERS

[2] There were no preliminary matters.

BACKGROUND

[3] The subject property is a medium warehouse consisting of two buildings built in 1978 with combined size of approximately 36,398 square feet. The property is located at 8804 - 53 Avenue NW within the McIntyre Industrial Area neighborhood and has lot size of 73,944 square feet with 45% site coverage.

[4] The property was assessed on the direct sales comparison method and the 2011 assessment was \$3,888,500.

ISSUE(S)

[5] Is the 2011 assessment of the subject property at \$3,888,500 fair and equitable?

LEGISLATION

[6] The *Municipal Government Act, RSA 2000, c M-26* reads:

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

[7] The Complainant presented five sales comparables (C-1, page 8), all of which he stated were similar in some respects to the subject, to support a requested reduction of the 2011 assessment from \$3,888,500 to \$3,275,500 or \$90.00 per square foot.

[8] The Complainant also provided the City's current assessment of these properties as equity comparables (Exhibit C-1, page 9). The Complainant informed the Board that while his equity comparables are similar in various respects to the subject, such as in site coverage, building size, age and location, he suggested that any differences could be accounted for by making appropriate upward or downward value adjustments.

[9] The Complainant submitted to the Board that the 2011 assessment for the subject property should be based on \$90.00 per square foot which would result in an assessment of \$3,275,500.

POSITION OF THE RESPONDENT

[10] The Respondent presented evidence (R-1) and argument for the Board's review and consideration. The Respondent outlined the mass appraisal process and the factors found to influence value in the warehouse market (R-1, page 7).

[11] The Respondent disputed the comparability of the Complainant's equity comparables, stating that they are single buildings whereas the subject is a two-building complex.

[12] The Respondent presented four time adjusted sales comparables (R-1, page 20) to support the 2011 assessment of \$106.83 per square foot.

[13] The Respondent also presented eight equity comparables (R-1, page 25) located in SE Edmonton and similar in condition, location, size and age to the subject to support the 2011 assessment of the subject property.

[14] The Respondent requested the 2011 assessment be confirmed at \$3,888,500.

DECISION

[15] The decision of the Board is to confirm the 2011 assessment of \$3,888,500.

REASONS FOR THE DECISION

[16] The Board in considering the evidence and argument presented by both parties is of the opinion that it is more appropriate to compare properties in the same quadrant of the City, unless the property is so unique in some respect that few comparables can be found in the quadrant.

[17] The Board placed greater weight on the sales and equity comparables presented by the Respondent (R-1, pages 20 and 25) which supported the 2011 assessment of the subject property. The comparables presented were similar to the subject property with respect to location, age, size, services and some in site coverage.

[18] The Board considered the Respondent's sales comparables numbers 1, 2, and 3 (R-1, page 20) as similar to the subject property, with a TASP range of \$112.15 to \$124.00 per square foot, and an average TASP of \$118.45 per square foot. This supported the 2011 assessment of \$106.83 per square foot.

[19] The Board found that the equity comparables presented by the Complainant (C-1, page 9) are all single buildings, and the value as such would be lower than a multi building. The equity comparables were consequently given less weight in the analysis.

[20] The Board finds that the 2011 assessment of the subject property at \$3,888,500 is fair and equitable.

DISSENTING OPINION AND REASONS

[21] There was no dissenting opinion.

Dated this 20th day of March, 2012, at the City of Edmonton, in the Province of Alberta.

Dean Sanduga, 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, RSA 2000, c M-26.
cc: GPM (11) GP INC