



ASSESSMENT REVIEW BOARD

Churchill Building
10019 103 Avenue
Edmonton AB T5J 0G9
Phone: (780) 496-5026

NOTICE OF DECISION NO. 0098 860/11 (AMENDED)

Altus Group Ltd
17327 - 106A Avenue NW
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 January 25, 2012, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
2433001	13030 Yellowhead Trail NW	Plan: 4877HW Block: C	\$7,172,500	Annual New	2011

This decision corrects the exemption rate applicable effective April 2011 to 76.07% as per the Recommendation signed by the parties.

Before:

Steven Kashuba, Presiding Officer
Jim Wall, Board Member
Petra Hagemann, Board Member

Board Officer:

Tannis Lewis

Persons Appearing on behalf of Complainant:

Chris Buchanan, Altus Group Ltd

Persons Appearing on behalf of Respondent:

Stephen Leroux, Assessor, City of Edmonton

PRELIMINARY MATTER

1. At the outset of the hearing the Respondent submitted to the Board that a recommendation was forthcoming on this file for the consideration of the Complainant. In response to a question of the Board, the Complainant indicated that they had reviewed the basis upon which the Respondent advanced a recommendation for a reduction to the assessment amount for 2011. The reduction in the assessment amount from \$7,172,500 to \$6,828,500 is acceptable to both parties.

ISSUE

2. In consideration of the Preliminary Matter wherein both parties agreed to a reduction in the assessment amount, this hearing did not proceed to the merits of the complaint.

LEGISLATION

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

3. The Complainant accepts the recommendation advanced by the Respondent to reduce the assessment from \$7,172,500 to \$6,828,500.

POSITION OF THE RESPONDENT

4. During the Preliminary Matter stage of this hearing the Respondent presented a recommendation for the consideration of the Complainant to reduce the assessment from \$7,172,500 to \$6,828,500.
5. The parties agreed that an exemption of 41.82% will be applied to the property effective January 2011 and 76.07% effective April 2011.

DECISION

6. It is the decision of the Board, based upon the recommendation from the Respondent as agreed to by the Complainant, to reduce the assessment of the subject property for 2011 from \$7,172,500 to \$6,828,500.
7. The Board accepts the parties' recommendation to apply an exemption of 41.82% effective January 2011 and 76.07% effective April 2011 to the subject property.

REASONS FOR THE DECISION

8. The change in the assessment amount and exemption is based upon a discussion and an agreement reached by the parties in advance of the merit hearing as is evidenced by the attached RECOMMENDATION FOR THE ASSESSMENT REVIEW BOARD and signed by both parties.

DISSENTING OPINION AND REASONS

There was no dissenting opinion.

Dated this 4th day of April, 2012, at the City of Edmonton, in the Province of Alberta.

Steven Kashuba, 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: EDM YELLOWHEAD TRAIL (ARI) LTD