



ASSESSMENT REVIEW BOARD

MAIN FLOOR CITY HALL
1 SIR WINSTON CHURCHILL SQUARE
EDMONTON, ALBERTA T5J 2R7
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NOTICE OF DECISION NO. 0098 93/10

CANADIAN VALUATION GROUP
1200 10665 JASPER AVENUE
EDMONTON AB T5J 3S9

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 July 19, 2010 respecting an appeal on the 2010 Annual New Realty Assessment.

Roll Number 4149258	Municipal Address 17808 116 Avenue NW	Legal Description Plan 9021777 Block 4 Lot 12
Assessed Value \$4,368,500	Assessment Type Annual New	Assessment Year 2010

Before:

Ted Sadlowski, Presiding Officer
George Zaharia, Board Member
Judy Shewchuk, Board Member

Persons Appearing: Complainant

Tom G. Janzen, Agent
Canadian Valuation Group

Persons Appearing: Respondent

Bob Thorgeirson, Supervisor
Industrial & Land Assessment
Assessment and Taxation Branch

PROCEDURAL MATTERS

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.

There were no preliminary issues raised by the parties and the Respondent did not have any recommendations on the file.

ISSUE(S)

The issue in this case is that the assessment of the subject property is too high and in excess of market value.

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.

DESCRIPTION

The subject property is a single tenant office/warehouse building. The area of the property is 40,831 square feet, of which 7,157 square feet is office space. The subject was constructed in 1990.

POSITION OF THE COMPLAINANT

The Complainant provided six sales comparables with time adjusted sale prices ranging from \$57.80 to \$94.80 per square foot. The 2010 assessments for these sales comparables ranged from \$61.68 to \$137.96 per square foot (C-1, p. 1). The Complainant placed greatest weight on comparables #1, 3, and 4, requesting that the 2010 assessment be reduced from \$106.99 to \$95.00 per square foot, or for a total of \$3,878,500.

POSITION OF THE RESPONDENT

The Respondent provided four sales comparables of properties that ranged in year built from 1962 to 2007 compared to the subject built in 1990; condition of the properties that was fair in one instance and average for the rest, including the subject; lot sizes that were similar; site coverages that ranged from 15% to 45% compared to the subject's 34%; and total building size that ranged from 18,719 to 46,685 square feet compared to the subject at 40,831 square feet. (R-1, p. 20).

The time adjusted sale prices of the comparables ranged from \$104.60 to \$181.87 per square foot. (R-1, p. 20).

The Respondent submitted seven equity comparables of properties that were the same in condition and similar in age, site coverage, lot size, and total building size. The assessments of these comparables ranged from \$84 to \$110 per square foot (R-1, p. 25).

DECISION

The decision of the Board is to reduce the assessment on the subject property from \$106.99 per square foot to \$95.00 per square foot which will yield an overall property assessment of \$3,878,500.

REASONS FOR THE DECISION

The Board was persuaded by the Complainant's time adjusted sales comparables. The three comparables that the Board placed greatest weight on (#1, 3, and 4 – C-1, p. 1) had time adjusted sales per square foot ranging from \$73.53 to \$94.80 per square foot and all three sales occurred between July 2008 and June 2009. These sales supported the Complainant's request.

The Respondent's equity comparables (R-1, p. 25) supported the decision. The seven comparables were all in average condition as is the subject. The site coverage of the comparables ranged from 29% to 39% with an average of 34% which is the site coverage of the subject. The lot size of the comparables ranged from 110,872 square feet to 129,064 square feet. The subject's lot size is 119,483 square feet. The total building area for the comparables ranged from 36,000 square feet to 47,361 square feet with a mean area of 43,349 square feet. The total building area of the subject is 40,831 square feet. The assessments per square foot for the comparables ranged from \$84.00 per square foot to \$110.00 per square foot with a mean of \$97.00 per square foot. This is consistent with the requested \$95.00 per square foot for the subject.

Dated this 4th day of August, 2010 A.D. at the City of Edmonton, in the Province of Alberta.

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
 City of Edmonton, Assessment & Taxation Branch
 Linnell Taylor Assessment Strategies
 Coaster Holdings Inc.
 Biltmore Prop. Corp.
 BBV Holdings Ltd.