



ASSESSMENT REVIEW BOARD

MAIN FLOOR CITY HALL
1 SIR WINSTON CHURCHILL SQUARE
EDMONTON, ALBERTA T5J 2R7
(780) 496-5026 FAX (780) 496-8199

NOTICE OF DECISION NO. 0098 97/10

COLLIERS INTERNATIONAL REALTY
ADVISORS
3555 10180 101 STREET
EDMONTON AB T5J 3S4

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 20, 2010 respecting an appeal on the 2010 Annual New Realty Assessment.

Roll Number 1075605	Municipal Address 4770 94 Avenue NW	Legal Description Plan 7820294 Block 4 Lot 17
Assessed Value \$4,869,500	Assessment Type Annual New	Assessment Year 2010

Before:

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

Persons Appearing: Complainant

Christopher Hartley, Vice President Realty Tax Services
David Porteous, Associate Realty Tax Services
Colliers International

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.

ISSUE(S)

The amount of the assessment, assessment class, and assessment sub-class were identified on the complaint form as issues.

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.

POSITION OF THE COMPLAINANT

The Complainant accepted the Respondent's recommendation to reduce the assessment.

POSITION OF THE RESPONDENT

The subject property is a two-bay warehouse with one bay vacant. The rental rates are below market. The renter of the other bay is currently in arrears with rental payments and is under bankruptcy protection.

The Respondent proposed to reduce the 2010 assessment from \$4,869,500 to \$4,450,000.

DECISION

The decision of the Board is to reduce the 2010 assessment from \$4,869,500 to \$4,450,000 consistent with the recommendation made by the Respondent and accepted by the Complainant.

REASONS FOR THE DECISION

The property is a two-bay facility. One of the bays is vacant and the second is rented to a tenant who is under bankruptcy protection.

Dated this twenty-second day of July, 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
Canadian Property Holdings Inc.
Colliers International Realty Advisor Inc.
Colliers International Realty Advisors