



ASSESSMENT REVIEW BOARD

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

NOTICE OF DECISION NO. 0098 813/11

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 24, 2012, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
10161899	10050 29A AVENUE NW	Plan: 0923583 Block: 2 Lot: 22C	\$9,072,000	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:

Marty Carpentier, Assessor
Tanya Smith, Law Branch

PROCEDURAL MATTERS

[1] The parties indicated they had no objection to the composition of the Board. In addition, the Board members indicated they had no bias on this file.

PRELIMINARY MATTERS

[2] There were no preliminary matters.

BACKGROUND

[3] The subject property is a 101,850 square foot warehouse built in 1976 and located at 10050 – 29A Avenue NW, within Parsons Industrial subdivision. The lot size is 415,565 square feet with site coverage of 25 %.

[4] The property was assessed on the direct sales comparison method, and the 2011 assessment was \$9,072,500.

ISSUE(S)

[5] Is the assessment of the subject property fair and equitable in comparison with similar properties?

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 evidence (C-1) and argument for the Board's review and consideration. The Complainant submitted six equity 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 \$9,072,000 to \$8,148, 000 or \$80.00 per square foot, with detailed information on pages 13-24.

[8] The Complainant informed the Board that while his equity comparables did differ in various respects from the subject, such as in site coverage, building size, age and location, he suggested that these 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 \$80.00 per square foot which would result in an assessment of \$8,148,000.

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 presented four time adjusted sales comparables (R-1, page 19) ranging from \$92.72 to \$138.30 per square foot to support the 2011 assessment of \$89.07 per square foot. He further stated that the comparables are similar to the subject in size, location and site coverage.

[12] The Respondent also presented six equity comparables (R-1, page 24) with assessments ranging from \$85.42 to \$94.02 per square foot, and average of \$89.81 per square foot, all located in SE Edmonton. These equity comparables are similar in condition, location, size and age to support the 2011 assessment of the subject property.

[13] The Respondent argued that the assessment was fair and equitable and supported by the comparables provided and requested the 2011 assessment be confirmed at \$9,072,000

DECISION

[14] The decision of the Board is to confirm the 2011 assessment at \$9,072,000.

REASONS FOR THE DECISION

[15] 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.

[16] The Board placed greater weight on the equity comparables presented by the Respondent (R-1, pages 19 and 24) 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.

[17] The Board considered the Respondent's sales comparables numbers 1, 2, and 3 (R-1, page 19) as similar to the subject property with a TASP range of \$92.72 to \$125.32 per square foot and an average TASP of \$111.37 per square foot. This supported the 2011 assessment of \$89.07 per square foot.

[18] The Board found that the equity comparables presented by the Complainant (C-1, page 8) are dissimilar to the subject property in terms of site coverage, number of buildings, inferior industrial adjustment, and as such were given less weight in the analysis.

[19] The Board found that the Respondent's equity comparables (R-1, page 24) further supported the 2011 assessment of the subject property.

[20] The Board finds that the 2011 assessment of the subject property at \$9,072,000 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: CONCERT REAL ESTATE CORPORATION