



ASSESSMENT REVIEW BOARD

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

NOTICE OF DECISION NO. 0098 917/11

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 April 23, 2012, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
9301003	2803 MILL Woods Road NW	Plan: 3385TR Block: 7 Lot: 5	\$8,858,000	Annual New	2011

Before:

Patricia Mowbrey, Presiding Officer
Dale Doan, Board Member
Mary Sheldon, Board Member

Board Officer: Jason Morris

Persons Appearing on behalf of Complainant:

Danica Zhou, Altus Group
John Trelford, Altus Group

Persons Appearing on behalf of Respondent:

Ken Eliuk, Assessor, City of Edmonton
Ning Zheng, Assessor, City of Edmonton

PRELIMINARY MATTERS

At the commencement of the hearing the Respondent and Complainant presented the board with a one-page recommendation that had been agreed to by both parties. On the basis of a change to the lease rate for the restaurant on the subject property, the parties agreed that the assessment of the subject property should be reduced to \$8,735,500.

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.

DECISION

The Board revises the assessment of the subject property to \$8,735,500.

REASONS FOR THE DECISION

Considering the joint recommendation of the parties that the subject property had an excessively high restaurant lease rate applied to it, the Board gives effect to the agreement of the parties as a fair and equitable valuation of the subject property.

Dated this 23rd day of April, 2012, at the City of Edmonton, in the Province of Alberta.

Patricia Mowbrey, 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: KSC PROPERTIES INC