

**Appeal No. VA14/4/005**

**AN BINSE LUACHÁLA  
VALUATION TRIBUNAL  
AN tACHT LUACHÁLA, 2001  
VALUATION ACT, 2001**

**Flexsource**

**APPELLANT**

**and**

**Commissioner of Valuation**

**RESPONDENT**

RE: Property No. 5004057, Office(s) at 1st Floor, 5 St Fintans, North Road, Swords, County Borough of Dublin.

**B E F O R E**

**Rory Lavelle – M.A., FRICS, FSCSI, ACI Arb**

**Deputy Chairperson**

**Pat Riney – FRICS, FSCSI, ACI, Arb**

**Member**

**Mairead Hughes – Hotelier**

**Member**

**JUDGMENT OF THE VALUATION TRIBUNAL  
ISSUED ON THE 13TH DAY OF MARCH, 2015**

By Notice of Appeal received on the 1st day of October, 2014 the Appellant appealed against the decision of the Commissioner of Valuation in fixing a rateable valuation of €66,900 in respect of the property the subject of the appeal.

The grounds of appeal, as set out in the Notice of Appeal, are as follows:

*“The valuation figure noted is far too high. Most of the building is vacant and in poor repair. The office is 3400 sq. feet. Market rents €10-€12 per foot.”*

The Tribunal, having examined the particulars of the property the subject of this appeal; having confirmed its valuation history; having examined and considered the written evidence and having heard the oral evidence adduced before us by the parties to the appeal on the 12<sup>th</sup> day of February 2015,

**DETERMINES**

That the net annual value of the subject property be as set out below:

€59,900

**The reasons being as follows:**

1. This is a first time valuation of a property in the Fingal County Rating Authority area. The valuation date for the revaluation in the Fingal area was in September 2005. Final certificates issued to ratepayers only in December 2009 and this property was not included.
2. Following representations the original valuation of €66,900 was reduced to €59,900 due to adjustment of the floor areas between the parties and amended in the respective submissions.
3. The Appellant introduced evidence of 15 market transactions dated 2013. No 'tone of the list' evidence was introduced and the Appellant accepted in cross-examination that he was not familiar with the Valuation Act 2001 and particularly S.49(1) thereof.
4. The Respondent supported his valuation with five 'tone of the list' comparisons and referred in detail to S.49(1).
5. The Tribunal accordingly finds that the Appellant did not sustain any case for a reduction outside of the floor area adjustment and confirms the €59,900 valuation. The Tribunal is constrained by the terms of the Valuation Act 2001.