

Appeal No. VA14/4/032

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

McIvor Industries Ltd

APPELLANT

And

Commissioner of Valuation

RESPONDENT

In Relation to the Issue of Quantum of Valuation in Respect of:

**Property No. 2213404, Store, At Lot. 13b/1, Ballyedrowen, Birdstown, Inishowen,
Co Donegal**

JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 28TH DAY OF MAY 2015

Before:

Barry Smyth - FRICS, FSCSI, MCI Arb

Deputy Chairperson

Michael F Lyng - Valuer

Member

James Browne - BL

Member

By Notice of Appeal received on the 23rd day of December, 2014 the Appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of €58.00 on the above described relevant property on the grounds as set out in the Notice of Appeal as follows:

"Valuation is excessive and bad in law, not valued in accordance with Valuation Act, comparisons used are not comparable."

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,

DETERMINES

That the rateable valuation of the subject property based on all the submissions, evidence and findings should be reduced to €44:

Store/Workshop 586.11 sq.m. @ €15 per sq.m. = €8791.65

Total NAV €8791.65

@ 0.5% €43.95

RV Say €44

The reasoning being

The Tribunal was surprised to find there is a very significant discrepancy between the valuations of the respondent and the appellant. Based on the evidence adduced at the hearing, there would appear to be two “tones of the list” and it is difficult to see where the subject falls. The new comparisons introduced by the respondent were not ruled out but the Tribunal felt that the comparison introduced by the appellant i.e. Haughey Joinery was most helpful because, even though it was nearly twice the size of the subject, it was similar in age and construction. The old section of this property is valued at €12 per sq. m. and the new section is valued at €19.50 per sq. m.