

Appeal No. VA14/5/147

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

Eoin McGovern t/a Bird Jungle

APPELLANT

And

Commissioner of Valuation

RESPONDENT

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

**Property No. 593073, Retail (Shops), 194 Crumlin Road, Crumlin, County
Borough of Dublin.**

JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 6th DAY OF AUGUST, 2015

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

Deputy Chairperson

Mairead Hughes – Hotelier

Member

Michael Lyng – Valuer

Member

By Notice of Appeal received on the 4th day of September, 2014 the Appellant appealed against the determination of the Commissioner of Valuation in fixing a net annual value of €40,400 on the above described relevant property on the grounds as set out in the Notice of Appeal as follows:

"The valuation as assessed is excessive, inequitable and bad in law. Suggested NAV €19,000."

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

Zone A	59.57 sq.m. @ €300 per sq.m.	€17,871.00
Zone B	38.78 sq.m. @ €150 per sq.m.	€ 5,817.00
Less 10% reduction for frontage to depth		(€ 2,368.80)
Store (GF)	54.39 sq.m. @ €50.00 per sq.m.	€ 2,719.00
Showrooms	82.25 sq.m. @ €75 per sq.m.	<u>€ 6,168.75</u>
	Total NAV	€30,206.95
	Say	€30,200

The reasoning being

The Tribunal notes that the Respondent has put forward an NAV of €35,800 a reduction on the NAV of €40,400 set by the Commissioner.

The Tribunal heard the parties arguments regarding condition and are persuaded by the Appellant's case.

The Tribunal has heard evidence on market rental values and evidence of equity and uniformity, comparable properties in the list.

The Tribunal heard the arguments from the parties regarding the use of part of the premises described as "stores" but possibly for retail use with an internal step and are persuaded that this accommodation is better than pure storage and accepts the Respondent's case at €50.00 per square meter.

The Appellants case regarding the comparisons put forward by the Respondent being smaller than the subject is noted.

The Tribunal further notes the Revaluation Appeal Report included at Page 38 of the Respondent's evidence, where the Revaluation Officer concluded "the passing rent is

out of line with other evidence of passing rents which were used to inform the levels for this location. However the property is a double unit with larger area than most comparables. For this reason I would recommend a reduction in the unit pricing from €350 per sq.m. to €300 per sq.m. for Zone A.”

The Tribunal has adopted this €300 Zone A rate with a consequent rate of €75 per square foot for the first floor showroom.