

Appeal No. VA02/2/106

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

Frank Ward & Co., (Dublin Inner City Partnership)

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: Office(s) at First Floor, No. 16, Ormond Quay Upper, Ward: North City, County Borough of Dublin

B E F O R E

Tim Cotter - Valuer

Deputy Chairperson

Michael F. Lyng - Valuer

Member

Maurice Ahern - Valuer

Member

JUDGMENT OF THE VALUATION TRIBUNAL

ISSUED ON THE 16TH DAY OF DECEMBER, 2002

By Notice of Appeal dated 25 April 2002, the appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of £38 (€48.25) on the relevant property described above. The grounds of appeal as set out in the Notice of Appeal are that:

"The rateable valuation is excessive having regard to the tone of the list for the rate paying occupiers in this location, the pattern of open-market rents on the subject offices and the fact that the building no longer enjoys rates remission".

The appeal proceeded by way of an oral hearing which took place in the Distillery Buildings, Church Street, Dublin on the 2nd October 2002. The Appellant was represented by Mr. Conor O Cleirigh, MIAVI., MRICS., and member of the Society of Chartered Surveyors in the Republic of Ireland. The Respondent was represented by Mr. Colman Forkin Bsc(Surveying) MRICS, ASCS, MIAVI, valuer in the Valuation Office.

In accordance with the Rules of the Tribunal, the parties had, prior to the commencement of the hearing, exchanged their précis of evidence and submitted the same to this Tribunal.

At the oral hearing, both parties, having taken the oath, adopted their précis as being their evidence in chief. This evidence was supplemented by additional evidence obtained either directly or via the cross-examination process.

Property Location

The property under appeal is a first floor office in a four storey over basement office building built in the late eighties located at Ormond Quay Upper, Dublin.

Valuation History

No. 16, Ormond Quay Upper was revised in November 2001 and this revision was appealed in March 2002 and no change was made on revision.

Tenure

Leasehold – 9 years and 9 months from the 6th of April 1994 at a rent of €16,230.60p.a.
Current rent is £26,664 p.a.

Determination

The oral hearing in the above appeal was held contemporaneously with that of VA02/2/038 – John Rochford & Co. The written submissions, oral evidence and arguments adduced at the hearing were substantially the same as that in the John

Rochford appeal and are not recited here. The only issue to be determined is the rateable valuation on the subject property.

The Tribunal therefore, having regard to the factors set out in the judgment VA02/2/038 - John Rochford, determines the rateable valuation on the subject property as follows:

BL6 Office = 34.17 metres squared @ €123 per metres squared. = €4,202.91

BL7 Office = 22.95 metres squared @ €123 per metre squared = €2,822.85

Net Annual Value €7,025.76

Rateable Valuation @ 0.63 % = €44.26 Say €44.

Accordingly the Tribunal determines the RV of the subject property to be €44. The appeal of the appellant is allowed to this extent and the determination of the Commissioner of Valuation is varied accordingly.