

Appeal No. VA02/4/039

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

Inniskeen Joinery Ltd.

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: Showroom at **Map** Reference 21 C, Townland: Drumass, ED: Inishkeen, Carrickmacross
County Monaghan

B E F O R E

Frank Malone - Solicitor

Deputy Chairperson

Michael McWey - Valuer

Member

Frank O'Donnell - B.Agr.Sc. FIAVI

Member

JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 15TH DAY OF APRIL, 2003

By Notice of Appeal dated 13th November 2002, the appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of €158.72 on the relevant property above described.

The Grounds of Appeal as set out in the Notice of Appeal are that:

"on the basis that the RV is excessive inequitable and bad in law."

The appeal proceeded by way of an oral hearing, which took place at Ormond House, Ormond Quay Upper, Dublin, on 22nd January 2003.

Mr. Eamonn S. Halpin BSc. (Surveying) ASCS., ARICS., MIAVI., appeared on behalf of the appellant.

Mr. Damien Curran MRICS ASCS BSc.(Surv.) a District Valuer in the Valuation Office, appeared on behalf of the Commissioner.

Both Valuers having taken the oath, adopted their respective précis as being their evidence in chief.

Description of Property

The property consists of single storey buildings which comprise the original joinery workshop which was erected in 1985 to which an extension was added in 1988. A further building used as a store was built in 1991 and the remainder erected in 1998.

There is also a new modern showroom and office in the property.

The property is located in a rural part of Co. Monaghan, 1 mile from the village of Inniskeen and 8 miles from Carrickmacross.

Accommodation

Original joinery workshops are of a Hay Barn type erected with iron posts and corrugated sheeting, and having an area of 725 m².

The newer store (20ft eaves) 534 m²

The Showroom and office are 170 m²

Before the hearing commenced, the Chairman suggested that as there was little between the parties in relation to their valuations, he would allow a short recess to see if it was possible to come to an agreement, prior to the hearing.

Following a short adjournment, the parties on being recalled stated that a consensus was not possible, and requested that the hearing should proceed.

Evidence for the Appellant

Mr. Halpin informed the Tribunal that there were some changes to his comparisons No. 1 and No. 3, and gave amended details to the Tribunal. He said that there was a large degree of agreement with Mr. Curran regarding the location, areas and description of the property. The main difference he said was with the NAV of the older buildings.

There was agreement on the NAV per sq.m. on the Showroom and office of 170 m² @ 30.71psm.

Mr. Halpin maintained that the NAV adopted by the Commissioner for the older buildings was too high for a number of reasons:

- (1) The original buildings are of a basic Hay Barn type structure, with no insulation, constructed with iron posts and corrugated iron sheeting. A big disadvantage is that they are exposed to the elements and most uncomfortable to work in.
- (2) The property is located in a very rural area, being 8 miles from Carrickmacross, and with no potential for passing trade.
- (3) The Commissioner has failed to be consistent in that he has sought to apply a higher level of NAV to the subject compared to some of the comparisons which are of better construction.
- (4) A hypothetical tenant would pay a greatly reduced rent for the subject property, due to its location and to the quality of the construction of the workshops and store.

Mr. Halpin offered six comparisons, and suggested that his principal comparison Glenwood Furniture was a similar type of joinery business as the subject. This property has a similar mix of old type buildings of 738 m², and a new store and factory of 1174m² but has a lesser NAV than proposed for the subject.

The Chairman enquired from Mr. Halpin if he had photographs of the subject buildings, on being told that none were available, the Chairman suggested that it was difficult to evaluate the position without photographic evidence. He requested that photographs of the property concerned should be obtained and produced to the Tribunal at a later date.

In closing, Mr. Halpin stated that the old Joinery buildings should be valued at a considerably lower level than the more modern building and put forward his valuation proposal as follows:

Old joinery workshops of	725m ² @ €13.00/m ²	= €9,425
Newer Store	534m ² @ €17.00/m ²	= €9,078
Showroom and office;	170m ² @ €30.71/m ²	= <u>€5,220</u>
		€23,723 @ 0.5% RV €118

Evidence of the Respondent

Mr. Damien Curran, stated that the property consists of a single storey, impressive modern showroom with a mixture of new and existing workshops. There was no great difference in similar joinery workshops in Co. Monaghan, and that the tone of the list prevailing is €20.50m² with a broad agreement reduction for older buildings.

He submitted a number of comparisons, and suggested that Hallmark Furniture, which he stated was very similar to the subject property, in that it comprised a mix of new and older type buildings with much larger areas than the subject, had an NAV per sq.m. of €20.50.

He stated that his other comparisons were comparable to the older buildings of the subject.

Mr. Curran agreed in reply to the Chairman, that the workshops in the subject were in fact two old barn type structures.

He submitted that his assessment of the NAV for the two workshops

(1) 418.00 sq.m. @ €20.51m². and

(2) 307.00 sq.m. @ €17.06sq.m.

was fair having regard to comparisons in the area.

The Tribunal stated that in the absence of photographic evidence of the subject premises, a decision on the appeal would be postponed until such evidence was furnished.

Findings and Determination

The Tribunal has carefully considered the evidence and submissions of both valuers including photographic evidence forwarded to the Tribunal on 3 February 2003.

Having regard to all the evidence presented including the comparisons relied on by both valuers the Tribunal finds that the old workshops in the subject premises are very basic hay barn type structures and that the valuation should reflect this fact. The Tribunal has therefore valued all the old workshops at the rate of €17 psm. Noting the agreement in relation to the areas concerned, the Tribunal determines the net annual value, as follows:

(1) Old joinery workshop	725 sq.m. @ €17.00 = €12,325
(2) Showroom	170 sq.m. @ €30.71 = € 5,220
(3) New Store	534 sq.m. @ €20.00 = <u>€10,680</u>
Total NAV = €28,225	
0.5% = RV €141	

The Tribunal therefore determines the rateable valuation on the property concerned to be €141.