

Appeal No. VA88/0/373

AN BINSE LUACHÁLA
VALUATION TRIBUNAL
AN tACHT LUACHÁLA, 1988
VALUATION ACT, 1988

Master Credit Limited

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: Lot No. 76 Dame Street, County Borough of Dublin

B E F O R E

Hugh J O'Flaherty

S.C. Chairman

Mary Devins

Solicitor

Brian O'Farrell

Valuer

JUDGMENT OF THE VALUATION TRIBUNAL
ISSUED ON THE 20TH DAY OF DECEMBER, 1988

By notice of appeal dated the 22nd day of August, 1988, the appellants appealed against the respondents decision to fix the rateable valuation of the above described hereditaments at £190.

In the course of his written submission dated the 1st December, 1988, Mr Kevin Heery, who is a district valuer with 18 experience in the Valuation Office, set out that he had inspected the property in April 1988, and found that it consisted of a four storey over basement terraced building in Dame Street. The ground and upper floors have been developed into a number of serviced offices. At his inspection the basement floor was being converted into further serviced offices.

The valuation history of the premises is as follows:-

In 1987 revision a valuation of £230.00 R.V. was placed on the building to take account of conversion to offices. The occupier lodged an appeal against the valuation and the respondent, having considered Mr Heery's report, fixed the valuation at £190.00.

In Mr Heery's opinion the net annual value of the premises is in the order of £16,000 per annum.

Basis: Total nett lettable areas.

Ground floor	619 sq ft @ £14 per sq ft = 8666
1st floor	517 sq ft @ £ 6 per sq ft = 3102
2nd floor	629 sq ft @ £ 4 per sq ft = 2516
3rd floor	637 sq ft @ £ 3 per sq ft = <u>1911</u>
	£16,195
	say £16,000

Mr. Heery gave a description of how the rateable valuation devalued and he also attached a list of comparable properties which had been recently revised in Dame Street and which he said supported the rateable valuation level of £190 place on the subject property

In the circumstances, it is not necessary to go into too much detail in respect of this business because Mr Eamonn O'Kennedy of 47 Merrion Square, Dublin, Valuation and Rating Consultant, who acted for the appellants agreed with the valuation that had been placed on it.

So, there can be no dispute but that the rateable valuation fixed was a correct one.

However, at the oral hearing which took place on the 5th December, 1988, Mr. Alan Stewart of the appellant company said that he wished to make a number of points. He set out that he thought that the company got a poor service in the matter of bin collection; that they were charged additional amounts for certain collections. He said that he felt his company was being penalised because they had taken over a building which was near derelict and they had saved it for posterity and were being penalised by having to pay a rate which he described as having being "gazumped" because originally the valuation had been fixed, as, he thought, at £90. (It was not correct, according to Mr Heery, to stated that it had ever been as low as £90 but this is not central to what was in issue so the Tribunal does not comment further on it).

Mr Stewart pointed out that they were not receiving a great deal in the way of rents and were having difficulty in finding tenants for the various units. He thought that they might require each unit to be separately rated in the future.

However, while Mr Stewart was anxious to make these points and while the Tribunal received them, nonetheless, it would be outside the Tribunal's jurisdiction to make any comment or finding in relation to Mr Stewart's remarks except to express the hope that they are brought to the attention of those who can do something about improving the services available to the ratepayers of the city.

In the circumstances, the Tribunal affirms the respondent's decision herein. There will be no order as to costs.