

LAND ACQUISITION ACT

APPEALS BOARD

AB 2012.031

**In the Matter of the Acquisition of Land at
Lot 610M Strata Lot No. U1442W TS 13
Block 2 Rochor Road, #14-592 S180002**

Between

Mr Lo Poh Tiong & Mdm Lim Geok Hua

... Appellants

And

Collector of Land Revenue

... Respondent

Mr Tan Chee Kiong for Appellants
Mr Abdul Rashid Gani for Respondent

DECISION

The decision of this Board is:

(1) That the award of the Collector of Land Revenue of compensation in an amount of \$898,000 in respect of Lot 610M Strata Lot No. U1442W TS 13 Strata Lot U1442W TS 13 at Block 2 Rochor Road #14-592 S180002 be confirmed.

And

(2) That the costs of this appeal to the Board be paid by the appellants.

Introduction

1. This is an appeal against an award by the Collector of Land Revenue (hereinafter referred to as "Collector") of \$898,000 as the market value for acquisition with vacant possession of a flat in Block 2, Rochor Road, #14-592 also described as strata lot Lot 610M U1442W Town Subdivision 13 (hereinafter referred to as "the subject flat").
2. The subject flat was gazetted for land acquisition under the Land Acquisition Act (Cap. 152) (hereinafter referred to as "the Act") on 15 November 2011 (hereinafter referred to as "the acquisition date").
3. There is no appeal against the Collector's award of \$23,200 compensation for reasonable expenses under section 33(1)(e) of the Act.
4. **Appellants** - The appellants are Mr Lo Poh Tiong and Mdm Lim Geok Hua, who were joint tenants of the subject flat. They claim a market value compensation of \$1,024,422 for the subject flat.
5. **Description of subject flat acquired** - The subject flat is in Rochor Centre, which was developed by the Housing and Development Board (hereinafter referred to as "HDB"). There are four 17-storey HDB blocks with commercial units on the first 4 storeys and residential units on the 5th to 17th storeys.
6. The subject flat is a 14th storey HDB Executive Adjoining New Generation flat (hereinafter referred to as "EA Adj flat"). It is a corner 163 sqm flat, that was formed by amalgamating 3 component parts under one title: a) a modified 3 Room New Generation flat of 82 sqm (hereinafter referred to as "modified 3Rm NG flat"); b) a 3 Room New Generation flat of 67 sqm (hereinafter referred to as "3Rm NG flat"); and c) a 14 sqm recessed area, formerly a corridor, bought cheaply from HDB and 3 steps lower than (a) and (b). There are 2 living rooms, 4 bedrooms, 1 family area, 2 kitchens and 4 bathrooms. The subject flat, with an opening between the two living rooms, had a remaining lease of about 64 years and 7 months at date of acquisition.
7. Section 33(5)(e) of the Act provides that: *"the market value of the acquired land shall be deemed not to exceed the price which a bona fide purchaser might reasonably be willing to pay, after taking into account the zoning and density requirements and any other restrictions imposed by or under the Planning Act (Cap. 232) as at the date of acquisition and any restrictive covenants in the title of the acquired land"*
8. Pursuant to section 25(3) of the Act, the appellants have the onus of proving on a balance of probabilities that the Collector's award is inadequate.¹ Case law has recognised that an appellant in a land acquisition case is analogous to a plaintiff.

¹ Assistant Development Officer, Bombay v Tayaballi AIR 1933 BOM 361 at 365, Chuah Say Hai & Ors v Collector of Land Revenue, Kuala Lumpur [1967] 2 MLJ 99 at page 101.

Appellants' Interlocutory application (IA 01 of 2013) for the Board to consolidate 3 appeals including the instant appeal, for hearing

9. The appellants in our case and the appellant owners of two other flats in Rochor Centre, who had engaged the same valuer and the same law firm, applied to consolidate their 3 appeals for hearing. The other units are #07-586 and #06-588, Block 2, each 163 sqm, for which the Collector had awarded market value compensation at \$872,000 and \$883,000 respectively.
10. The Board dismissed the application for consolidation on 27 August 2013. There is no common question of fact. A market value assessment pursuant to section 33(5)(e) of the Act for each of the flats would require an assessment of each flat based on the facts specific to each flat. It is not sufficient for consolidation that the 3 flats are in Rochor Centre and that the occasion for assessment of their market value sprang from the Collector's compulsory acquisition of Rochor Centre.
11. As the valuer had used the same approach to value the 3 flats, the Board decided to hear and decide the appeal for the subject flat and then hear the other 2 cases, if parties still wanted to proceed with appeal. This had also been earlier indicated to parties on 8 July 2013.
12. **Valuers** – The Collector appointed Mr Lau Chee Kin (hereinafter referred to as "CK Lau") as valuer whilst the appellants appointed Mr Ian Loh Kai Chieh (hereinafter referred to as "I Loh") as their valuer. The valuers adopted different methods in valuing the subject flat.

Collector's Valuer's (CK Lau) method of valuation

13. Mr CK Lau used the comparable sales method. A valuer uses his skill, first to select "comparables" or relevant properties with sales transactions to compare with the subject property. He then quantifies the allowances or adjustments in value in money terms caused by differences in the comparables relative to the subject property to assess the market value of the subject property.
14. It is common ground that there were no sales of EA Adj flats in Rochor Centre to use as comparables as the last transaction had been in 2000, more than 11 years before date of acquisition. Mr CK Lau did not use the 2000 transaction because even after making market price adjustments based on the HDB resale price index, the market price valuation was still only \$833,780 or \$5,115 psm, which he thought was low.²
15. As he could not find transactions of EA Adj flats in the vicinity, he selected as his two comparables, two HDB 5 room flats, transacted before 15 November 2011:

² R1(1-86) pg 60, Notes of Evidence at pg 39 line 8 and pg 40 line 1

- a) A 5-Rm Model A Point Block flat at Blk 652 Rowell Road, #23-117 with a floor area of 131 sqm transacted at \$700,000 (\$5,344 psm) on 31 August 2011, which is about 650 metres away from Rochor Centre; and
 - b) A 5-Rm Improved (New Series) flat at Blk 672C Klang Lane, #19-81 with a floor area of 105 sqm transacted at \$660,000 (\$6, 286) on 16 May 2011, which is about 1 km away from Rochor Centre.
16. He exercised his professional judgement and made adjustments in money terms for differences in value caused by different features such as floor level, orientation, whether there was a direct lift landing on the floor, recessed corridor area, market conditions (time and price movement), design taking into account the size, flat model and block model, location, tenure and condition of the flat to arrive at the values \$psm.
 17. His adjustments are in his report, exhibited in his affidavit of 25 April 2013³ and his evidence at the hearing. Based on his analysis of comparable data, he assessed the value of the 14 sqm recessed corridor area in the subject flat at \$25,000, which is lower on a \$psm basis compared to the remaining 149 sqm floor area⁴. He calculated an adjusted floor rate \$psm of \$5,303 for the Rowell Road comparable and \$5,709 for the Klang Lane comparable. He averaged them to get a \$5,506 psm price, which he multiplied by the 163 sqm floor area of the subject flat to get a market valuation of \$897,478 rounded up to \$898,000.
 18. He made a check on market value assessment of \$898,000. He was concurrently doing the valuation for two other EA Adj flats in Rochor Centre, viz., #06-588 and #07-586. He compared his valuation for the three EA Adj flats in Rochor Centre with the prices of 17 EA Adj flats in other estates at Ang Mo Kio Aves 5 and 10, Yishun St 72, Bedok North Rd, Bedok Reservoir Rd, Clementi West St 2, Clementi Avenues 3, 4 and 5, Chai Chee St, Tampines St 81 and Hougang Ave 1. Based on sales data for these EA Adj flats (some of which did not have recessed areas) from January 2011 to June 2012, he found that the \$psm for an EA Adj flat without recessed areas was higher than the \$psm for such a flat with recessed areas. He found that the average \$5,423 psm for a Rochor EA Adj flat was higher than the average \$4,546 psm for other such flats with recessed areas in other estates.⁵ As the average \$psm for a Rochor EA Adj flat was approximately 19% higher than that in the other estates, he concluded that his market value of \$898,000 for the subject flat was fair and reasonable⁶.

Appellant's Valuer's (Mr I Loh) method of Valuation

19. The Appellant claims that their valuer, Mr I Loh, also used the comparable sales method to value the subject flat. Mr I Loh noted that the subject flat #14-592 comprised one 3Rm

³ R1(1-86) pgs 33-54 and pgs 60-65. R2(1-4) pg 2.

⁴ R1(1-86) pg 62 & 76.

⁵ R1(1-86) pgs 62, 78-79

⁶ R1(1-86) pg pgs 62, 78-79

NG flat of 67 sqm plus one modified 3Rm NG flat of 82 sqm and a 14 sqm recessed corridor space, making a total of 163 sqm. He selected a Rochor Centre flat, #14-594, which is a 3Rm NG flat right next door to the subject flat and flat #11-588, which is a modified 3 NG flat, 3 storeys below the subject flat, to together serve as his single comparable for the subject flat. The Collector's Award for flats #14-592, #14-594 and #11-588 are \$898,000, \$467,000 and \$515,000 respectively. Mr I Loh observed that the combined award of \$982,000 (i.e. \$467,000 + \$515,000) for the two separate flats making up his single comparable exceeded the award for the subject flat. Compared to the \$982,000 combined award, the \$898,000 for the subject flat was lesser by 8.55%.

20. Unlike the subject flat of 163 sqm which had its two component flats and the recess corridor amalgamated under one title, Mr I Loh's comparable comprises two physically separated flats with a combined area of 149 sqm and each with its own title. It was submitted that Mr I Loh wanted *“to see if the amalgamated flat enjoyed a premium or discount over the individual components combined.”*⁷ As there was no recent EA Adj flat transaction at Rochor Centre, Mr I Loh expanded his search and considered all the relevant adjoined flat transactions in Singapore (over a 15 month period from December 2011 to February 2013) available to him and compared each of the adjoined flats to the combined prices of the component flats respectively. This was done for 13 data sets⁸. The flats in the 13 data sets were all within one block or in two blocks next to each other in HDB estates in Ang Mo Kio Aves 3, 5 and 10, Bedok North Rd, Tampines St 11 and 12, Chai Chee Stand Marsiling Drive.⁹ In all but one case, the floor areas of the EA Adj flats and the combined floor areas of the two 3RM NG flats were different by 2 sqm to 15 sqm.
21. According to Mr I Loh, 11 out of 13 adjoined flats were transacted at a premium over the combined price of the 2 component flats and the average premium of the 13 data sets is +4.32%. So he applied this percentage to the Collector's combined award of \$982,000 for flats #14-594 and #11-588 to arrive at \$1,024,422.40 (1.0432 X \$982,000) as his valuation for the subject flat. This amount is \$126,422.40 more than the Collector's award. The appellants thus claimed **\$1,024,422** as the market value award for the subject flat.
22. In acting on the premise, that an EA Adj flat would enjoy a premium in market value over its component units, Mr I Loh, as between the subject flat and his comparable, did not consider or adjust for factors such as the design of the units (size, flat model) and different features, such as floor levels, recessed corridor area, orientation and condition, all of which affect assessment of market value as he deemed these adjustments were minor, small or very negligible¹⁰. He did not take into account the market value of the 14 sqm recessed corridor area within the EA Adj flat relative to the remaining floor areas, as

⁷ Appellants' closing submissions at pg 4 para 20

⁸ A2(23-63) at Annex C1 at pg 25 and Annexes C2A - C2N at pgs 26 – 38.

⁹ A2(23-63) at Annexes C1, C2A to C2N at pgs 25 to 38

¹⁰ Notes of evidence at pg 91 lines 10 and 29 and pg 92 line 6

he did not want to introduce subjectivity.¹¹ Mr CK Lau gave a lower market value price \$psm/psf for the 14 sqm recessed corridor area relative to the other 149 sqm of built in space. Although Mr I Loh conceded in cross-examination that the price \$psm/psf of a smaller flat, all things being equal, would be higher than for a bigger flat,¹² he did not consider the market valuation on a price \$psm/psf basis. In essence and for his comparison, he regarded the subject flat and the two component flats as homogenous. This was also largely his approach in dealing with the 13 data sets (for flat units within a data set and for flat units across all 13 data sets) to arrive at his average premium of +4.32%.

23. At the 27 August 2013 hearing, Mr I Loh produced a table¹³ to show that the premium for an EA Adj flat over its component flats was +4.32% regardless of whether he compared:
a) the transacted sales price of an adjoined flat to the sum total of the transacted sales prices of two component 3 Rm NG flats or: b) the \$psm/psf of an adjoined flat to \$psm/psf of two component 3 room NG flats. The +4.32% premium remained unchanged because he calculated the price \$psm/psf on the assumption that the combined area of the two component flats was the same as the EA Adj flat, when it was evident that this was not so because in 12 out of the 13 data sets, the EA Adj flats were bigger than the combined area of the component flats.
24. Mr CK Lau's calculations a price \$psm/psf basis based on actual floor area showed that:
a) in 11 of the 13 data sets, the price \$psm/psf of an EA Adj flat was lower than the combined price \$psm/psf of the component flats; and b) there was an average discount of -2.55% instead of a premium of +4.32% as calculated by Mr I Loh in paragraphs 20 to 23,¹⁴ Mr CK Lau clarified in cross-examination that his own calculations had been done solely to show the flaws in Mr I Loh's calculations and that his action in so doing should not be construed as an acceptance of Mr I Loh's method of market value assessment.
25. Mr I Loh also made some checks using the absolute transacted sales prices for 3 transactions in 2000 for an EA Adj flat with an area of 163 sqm and for two 3Rm NG flats of 67 and 82 sqm (149 sqm in total) within Rochor Centre, to show that even then the premium for an EA Adj flat was 2.17%.¹⁵ At the hearing, Mr I Loh gave another table¹⁶ with 11 transactions within a period of 6 months before or after the 15 November 2013 acquisition date. Adopting the same basis as used for the 13 data sets, he calculated an average premium of 5.15% for sale prices of EA Adj flats compared to the combined sales prices of two 3Rm flats. The comments made earlier in paragraph 22 apply.
26. Mr I Loh also said that he reviewed his calculation of the 4.32% premium from another angle. Instead of the approach in paragraphs 19 to 21, he considered the

¹¹ Notes of Evidence at pg 23, lines 12 and 23, pg 24, line 28, pg 76 lines 1 and 28,

¹² Notes of Evidence at pgs 98 line 27, pg 99 line 22 and pg 100 line 13

¹³ A3(1-11) at Annex 3 at pg 10

¹⁴ R2(1-4) pg 3

¹⁵ A2(23-63) at Annex C3 at pg 39

¹⁶ A4

premium/discount in the transacted sale price of an EA Adj flat relative to *only one* 3Rm NG flat of area 67 sqm to 76 sqm.¹⁷ He compared on a \$psm/psf, the market value awarded by Collector for the subject flat with the market value awarded by Collector for flat #14-594 and concluded without considering other factors, that Collector's market value award for the subject unit was 21% lower in \$psm/psf terms¹⁸.

- i) *Compilation of 21 sets of sales transactions* - To check this, he compared the transacted sales prices on a \$psm/psf basis for an adjoining flat (with floor areas from 149 to 176 sqm) with a New Generation/Model A flat (with floor areas from 67 to 76 sqm) in Ang Mo Kio Aves 3, 5 and 10, Tampines St 11 and 12, West Coast Drive, Bedok North Rd, Bedok North Ave 1, Bedok Reservoir Rd Clementi West St 2, Clementi Ave 5, Yishun St 72, Chai Chee St and Marsiling Drive. The data was for a 16 month period from December 2011 to March 2013.¹⁹ He found²⁰ that adjoining units were transacted at an average discount of 7.16% to these 3 bedroom units, which, if applied to Collector's award, amounted to a shortfall difference of \$156,787.
- ii) *Check using transacted sales data in 2000* - he compared the transacted sales price for an EA Adj flat to only that for a 3 Rm NG flat with an area of 67 sqm and on a \$psm/psf basis, calculated a discount of 3.94% for an EA Adj flat relative to that 3Rm NG flat.²¹ According to him, this worked out to a shortfall difference of \$193,371 compared to Collector's award.

27. *Points to counter Mr CK Lau's market value assessment* - At the hearing, Mr I Loh gave evidence to counter Mr CK Lau's market value assessment of the subject flat relative to the Rowell Road and Klang Lane comparables (paragraphs 15 to 17), by analysing data on transacted sale prices for 3 room flats in Rowell Road, 3 and 4 room flats in Rochor Road and 4 room flats in Klang Lane. He compared four pairs of 3-room flat transactions at Rowell Road and Rochor Road and four 4-room flat transactions at Klang Lane with two such transactions in Rochor Road. He adjusted for differences in design, tenure and location using Mr CK Lau's percentages²² but did not adjust for what Mr I Loh characterised as "minor adjustments" like floor level, lift landing, orientation, condition or market conditions. Mr I Loh concluded that the adjustments made by Mr CK Lau could not sufficiently address the difference between Mr I Loh's comparables and the subject unit²³. It must be noted that whilst Mr CK Lau compared the subject flat, an EA Adj flat with two selected 5 Rm flat comparables in Rowell Road and Klang Lane, Mr I Loh compared 3 Rm NG flats in Rochor Road with 3 Rm flats in Rowell Road and compared 4 Rm flats in Rochor Road with 4 Rm flats in Klang Lane. As these flats are different in design from Mr CK Lau's comparison set, Mr I Loh could not simply adopt Mr

¹⁷ A1(1-74) at pg 18 para 27 of Mr I Loh's affidavit of 25 April 2013

¹⁸ A1(1-74) at pg 18, para 28 and at Annex D at pg 40.

¹⁹ A2(23-63) at Annexes E1, E2A to E2W at pgs 41 to 62

²⁰ Para 20 of Mr I Loh's affidavit of 25 April 2013

²¹ A2(23-63) at Annex E3 at pg 63

²² Notes of Evidence at pg 91 line 3

²³ A3(1-11) pgs 1-9.

CK Lau's adjustment percentage for design. Mr I Loh also did not take into account other factors relevant in the assessment of market value. This evidence, without more, does not advance the appellants' case.

28. Apart from submitting that Mr CK Lau's adjustments in money terms for the differences in the subject flat and his two comparables at Rowell Road and Klang Lane were subjective and based on discretion, nothing else was proffered by the appellants to counter Mr CK Lau's market value assessment.
29. To summarise, Mr C K Lau, the Collector's valuer, arrived at the \$898,000 market value for the subject flat using an established method of selecting and using sales comparables with adjustments in money terms for differences in the subject flat and the comparables. He also made a check to satisfy himself that \$898,000 was fair and reasonable.
30. He had assessed the subject flat, being an EA Adj flat (formed by combining a modified 3-Rm NG flats (area 82 sqm), a 3-Rm NG flat (67 sqm) with a 14 sqm recessed corridor area, all under one title as a product with distinct peculiarities, that was different from its component parts. An EA Adj flat was not sqm for sqm equal to that for a 3-Rm NG flat. The market demand for and supply of these 3 types of flats were not the same. The price differential between an EA Adj flat and a 3-Rm NG flat on a \$psm/psf basis was not a constant but fluctuated over the years in changing market conditions. There were times, when EA Adj flats commanded a premium over 3-Rm flats on a \$psm basis. In November 2011, values of 3-Rm flats on a \$psm basis had increased and were generally higher than for EA Adj flats.²⁴ To illustrate this, he analysed data for HDB estates in Ang Mo Kio, Bedok, Yishun and Clementi.
31. To summarise, Mr I Loh, the appellants' valuer, adopted a generalised and overly simplified approach to assess market value. He compared Collector's \$898,000 market value award for the subject flat to Collector's market value award for Mr I Loh's two comparables being two separate Rochor Centre flats at #14-594 and #11-588 with respective floor areas of 67 and 82 sqm and for which Collector had made respective awards of \$467, 000 and \$515,000 with a total of \$982,000. On the basis that \$982,000 reflected the market value of these two units with a combined area of 149 sqm as at date of acquisition and without taking into account other factors, Mr I Loh then concluded that the award for the subject flat was at a discount of 8.55% compared to the awards for these 2 units, thereby showing that Collector's market value award of \$898,000 was inadequate. Using a very generalised method as described in paragraphs 20 to 23, he calculated that EA Adj flats such as the subject flat would command an average premium of +4.32% relative to the transacted sales prices of two component flats. He concluded that the market value of the subject flat instead of being \$898,000 as assessed by Collector should be \$1,024,422 (1.0432 X \$982,000).

²⁴

R1(1-86) pgs 69-72

32. *Mr I Loh's method of valuation* – His method of assessment was generalised and replete with unwarranted assumptions to enable him to arrive at an average premium of +4.32%, which he then applied to obtain a market value. This generalised approach is not an acceptable way of market valuation. As stated in the case of *Philip (S) Pte Ltd v The Collector of Land Revenue [1986] SGAB 3*, where a generalised method was adopted the Appeals Board (Land Acquisition) in that case said: “*this method of mathematical calculation is something that is not to be found in any textbook, which Mr Simon Lim conceded, and is not a method that has been used in valuing properties in Singapore.*”
33. There are established methods and practices in making a comparison of the factors specific to chosen comparables with the subject property but a review of Mr I Loh's evidence and appellants' submission clearly shows that his methodology is unorthodox, unrecognised, unreliable and certainly not what the industry practises. It does not result in a professional valuation of market value of the subject property as expected under the Act. Clearly, it serves no purpose to do the checks that Mr I Loh did as the starting premise of his methodology and computations are wrong and inapplicable.
34. The fallacy of Mr I Loh's method lies in his proposition that two physically separated flats in the same block as the subject flat, each with its own title and each barely half the size of the subject flat, can be considered together to make a relevant comparable to the much larger subject flat just because each of those two flats is similar in type to a component in the subject flat. Not only that, he presumed that the price relationship between small flats and adjoined flat in the suburbs are equally applicable to all EA Adj flats in the city, such as Rochor Centre. In applying these 2 propositions, he did not take into account the differences in the flats in comparing the subject flat to his comparable and in working out his +4.32% premium in his 13 data sets (for flat units within a data set and for flat units across all 13 data sets).
35. Appellants' counsel's questions and comments during Mr CK Lau's cross-examination on the latter's method of check as described in paragraph 18²⁵ are apt in describing Mr I Loh's method of assessing market value as described in paragraphs 22 to 27, where he arrives at the +4.32% average premium by comparing properties in suburbs of Singapore, without taking into account factors specific to the flats. The questions and comments are: ²⁶ “*...what you are actually comparing is subject property in Rochor and then you are using the average all around Singapore to compare. Now, isn't it .. in principle, you cannot look at a property and compare it, all right, to another property or other properties all over Singapore and come to a conclusion whether you agree that the adjustments, the variables would be too many, too expensive that it would not make it a very fair comparable, for example in this case, Rochor compared to Yishun, Ang Mo Kio, Clementi, Bedok. You cannot take the average of the values, psm, in these*

²⁵ R1(1-86) at pgs 78-79

²⁶ Notes of Evidence – pg 176 line 25, pg 177 line 20, pg 178 line 9. Appellants' counsels closing submissions at para 149.

localities and then use it to compare with Rochor. Would you not agree with me?" When told by Mr CK Lau, that he was using the figures as a check to confirm the market value and that his 2 comparables were in Rowell Road and Klang Lane, appellants' counsel continued: " *it is not right to use all these comparables in other areas in the suburbs of Singapore as a check because it is not areasonable to use the average of these all these other areas to compare to one that is in the city fringe in your own words. Would you not agree?"* Appellants' counsel also said: " *it is not a good check because by averaging out all the values in the other areas, it does not really reflect the value in Rochor itself because they are so different, they are of so different location. Would you not agree?"* Mr CK Lau repeated that this was one of his checks and not his method of assessment. Paragraph 149 of appellants' closing submission states: " *One cannot determine the value of a property by comparing the average of similar ones in different locations in Singapore! This is a sweeping generalisation. This is akin to saying that one can find out the price of a 3 NG flat in Singapore by looking at the average price of all 3 NG flat in Singapore in the period. This is a preposterous premise.*" It must be noted that this method adopted by Mr CK Lau to check his market valuation is broadly similar to the method used by Mr I Loh to calculate his +4.32% used to work out the proposed market value for the subject flat.

36. In paragraph 31 of Mr I Loh's 25 April 2013 affidavit, he concluded that having due regard to all relevant factors and the prevailing property market conditions, the appellants' desired market value award for the subject flat was \$1, 043,000. It must be noted that when Mr I Loh made a later affidavit on 13 June 2013 to "rectify the errors" in his 25 April 2013 affidavit, he did not change the proposed market value figure. The appellants' revised market value of \$1,024, 442 was first made known in appellants' counsel's opening submission of 21 August 2013 and confirmed by Mr I Loh at the Board hearing on 27 August 2013.

37. On the evidence and for the reasons given, the Board finds:

- a) That the appellants have not discharged the onus of proving that the Collector's award of \$898,000 for the market value of the subject flat is inadequate; and
- b) That the appeal fails and the Board confirms the award of the Collector; and

Costs

- c) As the amount awarded by the Board does not exceed the sum awarded by the Collector and in accordance with section 32(1), the costs of appeal to this Board are to be paid by the appellants to the respondents.

Dated 23 December 2013

Commissioner of Appeals Ms Foo Tuat Yien
Assessor Mr Tan Kim Choon
Assessor Mr Chua Koon Hoe