

**CALGARY
ASSESSMENT REVIEW BOARD
DECISION WITH REASONS**

In the matter of the complaint against the property assessment as provided by the *Municipal Government Act*, Chapter M-26, Section 460(4).

between:

Altus Group, COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

T. Hudson, PRESIDING OFFICER

D. Julien, MEMBER

C. McEwen, MEMBER

This is a complaint to the Calgary Assessment Review Board in respect of a property assessment prepared by the Assessor of The City of Calgary and entered in the 2010 Assessment Roll as follows:

ROLL NUMBER: 092023506

LOCATION ADDRESS: 3825-16 A St. SE

FILE NUMBER: 59375

ASSESSMENT: \$2,290,000

This complaint was heard on 21st day of June, 2010 at the office of the Assessment Review Board located at 4th floor, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 1.

Appeared on behalf of the Complainant:

- *Randall Worthington* *Altus Group*

Appeared on behalf of the Respondent:

- *Don Kozak* *Assessor, City of Calgary*

PROPERTY DESCRIPTION:

The subject property is a single tenant (IWS) warehouse constructed in 1989 located in the Bonnybrook area of the Central Industrial Region. There is 14,289 sq. ft. of net rentable area with 9% office finish. The building is located on a 0.54 acre site with 57% site coverage. The current assessment is \$2,290,000 or \$160 psf rounded. The requested assessment is \$1,860,000 or \$130 psf rounded.

ISSUES:

The central issue in the dispute between the parties was the equity of the assessment of the subject in relation to similar properties in the same market area. The issue of market value was also argued.

BOARD FINDINGS ON THE ISSUES:

The sales data submitted by the parties was inconclusive, due to lack of similarity of the sales comparables to the subject. The Complainant submitted two (2) sales, both of which are much older than the subject and either larger or smaller than the subject. The Respondent submitted three (3) sales all of which are much older than the subject with less site coverage. The one sale submitted by both parties at 5678 Burleigh Cres. SE sold in Dec. 2007 for a time adjusted price of \$114 psf. With respect to equity, the comparables submitted by both parties seem to show a fairly tight range in assessment values of reasonably similar properties to the subject from a high of \$152 psf to a low of \$145 psf. The subject assessment at \$160 psf should be adjusted to fit within the range of assessed values for similar properties in the same market area.

BOARD DECISION:

The assessment is reduced to \$2,120,000 or \$149 psf rounded.

REASONS:

The sales data submitted by the parties did not support the assessment of the subject due to the lack of similarity between the sales comparables and the subject. The range of assessment values (\$145 psf to \$152 psf) for the equity comparables are very similar to the subject providing compelling evidence that the property assessment should be reduced to fit within the range.

DATED AT THE CITY OF CALGARY THIS 23rd DAY OF JULY 2010.



T. Hudson
Presiding Officer

TH/mc

Cc: Owner

An appeal may be made to the Court of Queen's Bench on a question of law or jurisdiction with respect to a decision of an assessment review board.

Any of the following may appeal the decision of an assessment review board:

- (a) the complainant;*
- (b) an assessed person, other than the complainant, who is affected by the decision;*
- (c) the municipality, if the decision being appealed relates to property that is within the boundaries of that municipality;*
- (d) the assessor for a municipality referred to in clause (c).*

An application for leave to appeal must be filed with the Court of Queen's Bench within 30 days after the persons notified of the hearing receive the decision, and notice of the application for leave to appeal must be given to

- (a) the assessment review board, and*
- (b) any other persons as the judge directs.*