

**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***

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: 077027720

LOCATION ADDRESS: 1603 24 AV SE

FILE NUMBER: 56330

ASSESSMENT: \$ 3,920,000

This complaint was heard on the 24th 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:

- *George Bell* *Assessor, City of Calgary*

PROPERTY DESCRIPTION:

The subject property is located at 1603 – 24 Ave SE in Alyth Bonnybrook industrial area. The site area is 3.23 acres with the single tenant building covering 20.30% of the site. The net rentable area is 28,760 sq ft with 3 % office finish. The current assessment is \$3,920,000 or \$136 psf. The requested assessment is \$2,210,000.

ISSUES:

The Complainant suggests that the assessment does not reflect market value or equity with similar properties.

BOARD FINDINGS ON THE ISSUES:

The Board was advised by the parties that the decision of the ARB in 2009 reduced the assessment of the subject property from \$4,330,000.⁰⁰ to \$3,100,000.⁰⁰; based on the sale of the property in 2007 for \$2,800,000.⁰⁰, and onsite contamination issues. The parties further advised that little has changed since 2009 and all of the issues are still applicable to the subject assessment.

BOARD DECISION:

Based on the evidence and presentation of the parties, the assessment is reduced to \$3,100,000.⁰⁰ which reflects the 2009 ARB decision.

REASONS:

The evidence and argument which led to the 2009 decision of the Calgary ARB remain significant factors. There is no compelling evidence to change the value of the assessment from that decision.

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.*