

**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-26.1, Section 460(4).

between:

Assessment Advisory Group, COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

J. Gilmour, PRESIDING OFFICER

D. Morice, MEMBER

K Farn, MEMBER

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

ROLL NUMBER:	677005001
LOCATION ADDRESS:	7520 – 114 Avenue SE
HEARING NUMBER:	58334
ASSESSMENT:	\$2,900,000

This complaint was heard on 24th day of June, 2010 at the office of the Assessment Review Board located at Floor Number four, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 6.

Appeared on behalf of the Complainant:

- *Y. Tao*

Appeared on behalf of the Respondent:

- *I. McDermott*

Property Description:

The subject property is a single warehouse in the East Shepard (Dufferin) area of the city, on 4.2 acres with 3.5 acres of "extra land". The warehouse, built in 2000, had a building area of 12,000 sq. ft. with a site coverage of five per cent.

Issues:

Is the assessment in excess of its market value as of the valuation date?

Background Information for Board's Decision:

Complainant's position

The complainant was seeking a reduced assessment of \$2,600,000.

The complainant argued that the subject property bordered on 114 Avenue SE on the outskirts of the city, with no services.

He relied on the comparable sales property at 9550 114 Avenue SE in the same area of East Shepard, which was sold in August 2008, with a price per square footage of \$204, which came to an adjusted assessment of \$2,450,000.

Respondent's position

The Respondent relied on five sales comparables, but only one was located in the East Shepard area. The comparable also had full services, when compared with the subject. The current assessment of \$2,907,888 was based on a rate per square foot of \$242.

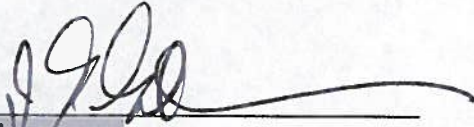
Board's Decision in Respect of Each Matter or Issue:

The Board considered the sales comparable presented by the complainant was a good comparable, very similar to the subject, with no services at an adjusted \$204 square foot. The best sales comparable was in the same area but in a better location close to Barlow Trail with a fully serviced lot. Based on the sales comparable of the complainant at 9550 – 114 Street SE and the lack of credible sales comparables from the city, the Board reduced the assessment to \$2,600,000.

Board's Decision:

Reduce the assessment to \$2,600,000.

DATED AT THE CITY OF CALGARY THIS 22nd DAY OF July.


J. Gilmour
Presiding Officer

JG/ms

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.*