

**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:

Krish & Gowri Ventures Inc., COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

R. Irwin, PRESIDING OFFICER

D. Steele, MEMBER

E. Reuther, MEMBER

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

ROLL NUMBER: 201473113

LOCATION ADDRESS: 23 5505 51 AVE SE

HEARING NUMBER: 56500

ASSESSMENT: \$ 638,500

This complaint was heard on the 2nd day of July, 2010 at the office of the Assessment Review Board located at Floor Number 3, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 11.

Appeared on behalf of the Complainant:

- *Krish Gunaratnam*

Appeared on behalf of the Respondent:

- *J. Greer* *Assessor, City of Calgary*

Board's Decision in Respect of Procedural or Jurisdictional Matters:

No matters identified. The merit hearing proceeded.

Property Description:

The subject is a 3,519 square ft warehouse condo built in 2009. It is located at 23 5505 51 Ave SE, Calgary, AB in a non-residential zone SF # 2 and is zoned "IG" (Industrial General)

Issues:

The assessment is too high.

Complainant's Requested Value:

\$ 557,000

Board Findings:

The evidence presented by the Complainant centered on an appraisal completed by Furano Appraisal of a neighbouring property (19 5505 51st Ave SE, Calgary, AB) dated Sep 30, 2009. Page 37 of that report indicated a value estimated by the income approach and another by the direct comparison approach. The Appraisal then states "Reliance is placed on the direct comparison approach" concluding the value of \$605,000.

The comparables support that the assessment is fair and equitable.

The Board finds that there is insufficient evidence to support the Complainant's position that the assessment is too high.

Board's Decision:

The assessment is confirmed at \$638,500.

DATED AT THE CITY OF CALGARY THIS 20th DAY OF JULY 2010.


R. Irwin
Presiding Officer

RI/mc

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.*