

**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:**

***Assessment Advisory Group, COMPLAINANT***

**and**

***The City Of Calgary, RESPONDENT***

**before:**

***Board Chair, J. Zezulka  
Board Member 1, J. Mathias  
Board Member 2, I. Fraser***

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: 033025503**

**LOCATION ADDRESS: 4605 – 12 Street N.E., Calgary, Alberta**

**HEARING NUMBER: 58794**

**ASSESSMENT: \$1,990,000**

This complaint was heard on the 30<sup>th</sup> day of June, 2010 at the office of the Assessment Review Board located at Floor Number 3, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 10.

Appeared on behalf of the Complainant:

- *Y. Tau*

Appeared on behalf of the Respondent:

- *I. McDermott*

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

Not Applicable

**Property Description:**

A single tenant industrial warehouse property, comprised of 0.78 acres of land, improved with a single building of 13,680 s.f. of which 9,166 s.f. is office space. The location is the McCall Industrial Park.

**Issues:**

1. The assessed value is not reflective of the property's market value.
2. The assessed value is inequitable with comparable property assessments.

**Complainant's Requested Value:**

\$1,500,000 shown on the Complaint Form, later amended to \$1,430,000.

**Board's Findings in Respect of Each Matter or Issue:**

The Board notes that the overall assessment calculates to \$145.47 per s.f. of gross building area, including land.

**Issue 1**

The Complainant presented three comparables on pages 6 to 20 of The Assessment Advisory Group Disclosure of Evidence. The time adjusted selling prices were shown at \$95, \$121, and \$98 per s.f. During the hearing, the complainant conceded that the City's time adjustment of six per cent was likely more appropriate than the 10 and 15 per cent adjustment that had been applied. In addition, one of the comparables was a 15,952 s.f. veterinary clinic, with approximately 10,000 s.f. of specialized veterinary space. Some evidence was adduced to suggest that these premises had been vacant at the time of the sale, and was still vacant to the present. It is not considered comparable to the subject. The second transaction – at 1936 27 Avenue N.E. produces a time adjusted selling price of \$134 per s.f. if the appropriate time adjustment is applied. The comparable has no office finish, compared to 9,166 s.f. of office in the subject. No adjustment was applied for this factor. The third comparable is a 40,000 s.f. building. A plus 10 per cent adjustment was applied for building size. In the board's opinion, the time adjustment is inadequate, and should have been larger.

The respondent presented six comparables on page 19 of the city of Calgary Assessment Brief. The properties reflected a time adjusted median selling price of \$165.00 per s.f., compared to the subject's assessment at \$145.47 per s.f. The median building size was 14,162 s.f.—compared to the subject size of 13,680 s.f. Of the comparables presented, the property at 3415 – 29 Street N.E.—is considered to be the best comparable available for the subject. The property is similar to the subject in land size, building size, building age, and per cent of finish. The time adjusted selling price calculates to \$173 per s.f.

#### Issue 2

The Complainant offered no evidence relative to the issue of equity.

The respondent submitted five equity comparables, all in similar locations to the subject. These reflected assessments ranging from \$143 to \$160 per s.f. with buildings from 10,200 to 13,529 s.f..

#### Board's Decision:

Based on the evidence presented by the Respondent, the Board is of the opinion that the current assessment adequately reflects market levels, and is fair and equitable with other similar properties.

The assessment is confirmed at \$1,990,000.

DATED AT THE CITY OF CALGARY THIS 3rd DAY OF August 2010.



Jerry Zezulka  
Presiding Officer

*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.*