

**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 Ltd., COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

T. Sadlowski, PRESIDING OFFICER

R. Kodak, MEMBER

D. Morice, 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:	201386745
LOCATION ADDRESS:	100 1410 1 St SE
HEARING NUMBER:	59797
ASSESSMENT:	\$7,670,000

This complaint was heard on the 26th day of July, 2010 at the office of the Assessment Review Board located at 4th floor, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom # 4

ISSUES:

The Complainant provided one issue: Is the assessment of the subject property fair and equitable considering the assessed value and the assessment classification of comparable properties? The Complainant withdrew the issue regarding the lease-exempt status of one or more tenants.

PRESENT:

Dale Grandbois
Assessor
City of Calgary

Giovanni Worsley
Senior Consultant
Altus Group Ltd.

PROPERTY DESCRIPTION:

The subject property is located at 100 – 1440 1 St SE in the district of Beltline. The subject is a Retail Condo with a rentable area of 25,576 sq feet and a site area of 55,759 sq feet. The property is currently assessed at \$7,670,000 and the assessment class is non-residential - 100%. The current assessment is \$300 per sq foot. The subject was built in 2008.

COMPLAINANT'S POSITION:

The Complainant submitted a brief C-1. The Complainant contends that the subject was not equitably assessed. A list of equity comparables was submitted. There were 14 in total, 12 in the SW and 2 in the SE. The Complainant's best comparables are the two in the SE. They have building areas of 14,642 sq ft and an assessment of \$249.97 per square foot and 49,557 sq ft and an assessment of \$200.58 per square foot respectively. The comparables were built in 2005 and 1995.

The rental area of the subject is 25,576 sq feet. Verbally, the Complainant provided evidence that the rentable area was only 24,392 sq feet. The Complainant requested that the 2010 assessment be reduced to \$6,394,000.

RESPONDENT'S POSITION:

The Respondent provided a submission to the Board. The Sales Comparison Approach was used to value the subject. The Respondent also provided an analysis of the Complainant's comparables as well as the Assessment Request for Information for the subject and did a manual income approach check for the assessment.

REASONS:

The Board found that the Complainant's one comparable, 14,642 sq feet in size, was of quality A+ but it had slightly less than half the area of the subject. The second comparable, 49,557 sq feet in size, was nearly twice the size of the subject but was a B class building.

The Respondent's best comparables, 1420 – 1 St SW and 1426 – 1 St SW, were A+ class buildings and their assessments were \$299.92 and \$299.90 per sq foot. They were also in close proximity to the subject. The Board decided that those 2 comparables best reflected the assessment of the subject and the manual income approach supported the assessment as well. Regarding the matter of size the Complainant stated in the brief that the rentable area of the subject was 25,576 square feet, which was the same as the area used by the Respondent. The Respondent, however, provided an Assessment Request for Information which indicated that the area was 24,392 square feet. Neither the Complainant nor the Respondent were certain as to the correct area. The issue was not identified on the Complaint Form so the Board did not rule on it.

DECISION:

The decision of the Board is to confirm the 2010 assessment of the subject at \$7,670,000. Further the Board did not deal with the rentable area size matter.

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


T. Sadlowski, 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.*