

**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:**

**J. Noonan, *PRESIDING OFFICER***

**Y. Nesry, *MEMBER***

**C. McEwen, *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:

<b>ROLL NUMBER:</b>	<b>200836542</b>
<b>LOCATION ADDRESS:</b>	<b>6 5610 46 St SE</b>
<b>HEARING NUMBER:</b>	<b>58383</b>
<b>ASSESSMENT:</b>	<b>\$835,000.00</b>

This complaint was heard on the 5th day of August, 2010 at the office of the Assessment Review Board located at the 3<sup>rd</sup> Floor, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 9.

Appeared on behalf of the Complainant:

- T. Howell, Commercial property Tax Agent, Assessment Advisory Group

Appeared on behalf of the Respondent:

- I. Baigent, Senior Assessor, *The City of Calgary*

**Property Description:**

The subject is located at 5610 46 St SE, Calgary. It is a 4480 sq.ft. warehouse condominium built in 2005 in the Foothills Industrial area. The assessed value is \$835,000.

**Issue:**

Is the assessment greater than fair market value?

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

The Complainant advanced 3 sales comparables adjusted for date of sale, building size and year of construction in support of an adjusted \$165 per sq.ft. value request of \$739,000.

The Respondent presented 9 sales comparables showing a median \$207.19 per sq.ft. value in support of the subject's assessment at a rate of \$186. per sq.ft. As well, Respondent noted the subject sold in June 2007 for \$800,000 or \$179 per sq.ft. which when time adjusted results in a current value of \$193 per sq.ft.

The CARB found the Complainant's adjustments, particularly the time adjustment unsupported by market evidence and found the sales introduced by the Respondent strongly supportive of the subject assessment.

**Board Decisions on the Issues:**

The Board confirms the assessment of \$835,000.00

DATED AT THE CITY OF CALGARY THIS 12<sup>th</sup> DAY OF August 2010.



*for*  
**J. Noonan**  
**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.*