

**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:

ROLL NUMBER:	116004508
LOCATION ADDRESS:	4451 64 Ave SE
HEARING NUMBER:	58659
ASSESSMENT:	\$5,000,000.

This complaint was heard on the 5th day of August, 2010 at the office of the Assessment Review Board located at the 3rd 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 4451 64 Ave SE, Calgary. It is a two-building warehouse totalling 50,349 sq.ft. on 3.43 acres in the Foothills Industrial area. The improvements were built in 1978. The assessed value is \$5,000,000.

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 with adjustments made for date of sale, building size and site coverage to determine an average adjusted value of \$93 per sq.ft. in support of a requested assessment of \$4,640,000.

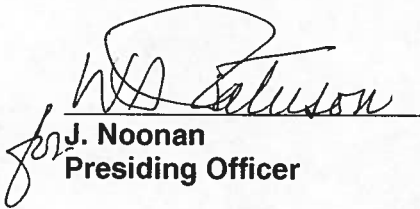
The Respondent pointed out that the Complainant's first comparable was atypical in that it was a sale-lease back transaction and the third involved vendor take-back financing. Accordingly, with only one market sale, it was questionable whether onus had been met. The Respondent values the two buildings separately, in comparison to other similarly-sized structures and arrived at typical values of \$104 and \$95.80 per sq.ft. Numerous sales examples were presented ranging in size from 15,000 to 54,000 sq.ft. and these supported the subject's average \$100 per sq.ft. valuation. Also introduced was an explanation as to why the City values multi-building sites in the fashion it has chosen.

The Complainant had not risen in the hearing an issue with the multi-building assessment methodology employed by the City, and so the CARB reserves comment. At issue was the end result: the quantum of assessment. The Board determined that insufficient evidence had been advanced to warrant a change to the assessment, considering the questions raised about two of the sales used by the Complainant.

Board Decisions on the Issues:

The Board confirms the assessment of \$5,000,000.

DATED AT THE CITY OF CALGARY THIS 11 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.*