

**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>116011800</b>
<b>LOCATION ADDRESS:</b>	<b>7507 40 St SE</b>
<b>HEARING NUMBER:</b>	<b>58662</b>
<b>ASSESSMENT:</b>	<b>\$1,860,000.</b>

This complaint was heard on the 4th 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 7507 40 St SE, Calgary. It is an 8968 sq.ft. industrial warehouse with 16% office finish constructed in 1980 and sited on 1 acre of land in the Foothills 1 area. The assessed value is \$1,860,000.

**Issue:**

Is the assessment greater than the fair market value?

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

The Complainant presented three sales comparables adjusted for date of sale, building size, lot size and year of construction to determine an average value of \$186 per sq.ft. which when applied to the subject's 8968 sq.ft. supported the requested assessment of \$1,670,000.

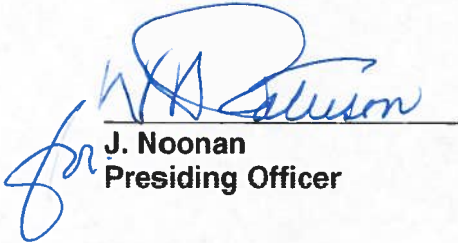
The Respondent noted the Complainant's unadjusted per square foot values from the sales comparables ranged from \$198-\$201, supportive of the subject's value of \$207. Respondent further noted the adjustments employed were unsupported by studies or evidence, but reflected the opinion of the Complainant. The Respondent introduced 8 sales comparables and 7 equity comparables in support of the assessment.

The CARB found the 3 sales comparables from the Complainant, unadjusted, were supportive of the subject's assessment. The Board found the Complainant's sales adjustments, particularly the time adjustment unsupported by market evidence.

**Board Decisions on the Issue:**

The Board confirms the assessment of \$1,860,000.

DATED AT THE CITY OF CALGARY THIS 11 DAY OF August 2010.

  
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.*