

**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:	097012611
LOCATION ADDRESS:	5990 51 St SE
HEARING NUMBER:	58359
ASSESSMENT:	\$2,280,000.

This complaint was heard on the 4th 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 5990 51 St SE, Calgary. It is an 11,300 sq.ft industrial warehouse with 20% office finish constructed in 1998 and sited on .97 acres in the Foothills 1 area. The assessed value is \$2,280,000.

Issue:

Is the assessment greater than fair market value?

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

The Complainant noted an \$80,000 increase to the assessment in comparison to the year previous. Three sales comparables were introduced and adjustments were made for date of sale, building size, lot size and year of construction to yield an average per sq.ft. value of \$186 in support of a requested reduction of assessment to \$2,100,000.

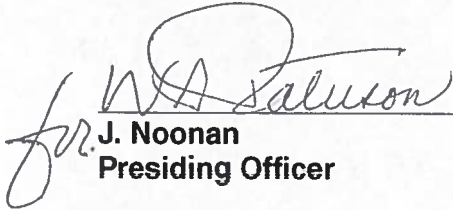
The Respondent noted the Complainant's unadjusted per square foot values from the sales comparables ranged from \$198-\$201, supportive of the subject's value of \$202. Respondent further noted the adjustments employed were unsupported by studies or evidence, but reflected the opinion of the Complainant.

The CARB agrees with the Respondent's observation that the unadjusted sales values advanced by the Complainant are strongly supportive of the subject 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 \$2,280,000.

DATED AT THE CITY OF CALGARY THIS 12th 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.*