

**CALGARY  
ASSESSMENT REVIEW BOARD  
DECISION WITH REASONS**

In the matter of the complaint against the Property/Business 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.P. Acker, PRESIDING OFFICER***

***T. Usselman, MEMBER***

***D. Julien, MEMBER***

This is a complaint to the Calgary Assessment Review Board in respect of Property/Business assessment prepared by the Assessor of The City of Calgary and entered in the 2010 Assessment Roll as follows:

<b>ROLL NUMBER:</b>	<b>112000203</b>
<b>LOCATION ADDRESS:</b>	<b>7016 Farrell Road S.E.</b>
<b>HEARING NUMBER:</b>	<b>58324</b>
<b>ASSESSMENT:</b>	<b>\$ 2,680,000</b>

This complaint was heard on the 9<sup>th</sup> day of August, 2010 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom #3.

Appeared on behalf of the Complainant:

- *Mr. Troy Howell*

Appeared on behalf of the Respondent:

- *Mr. Don Kozak*

**Property Description:**

This warehouse property is sited on 1.01 acres of land zoned I-G improved with two buildings; the first constructed in 1960 with 5,600 sq ft of leasable space and the second constructed in 1975 with 6,840 sq ft of leasable space. The two improvements comprise 28.41% coverage of the site area. The 1960 building has an office finish of 16%. Both buildings are occupied by a single tenant.

**Issues:**

Assessed value in excess of market value

**Complainant's Requested Value:** \$ 2,064,000

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

The Complainant provided the board with three comparable sold properties which traded in the period April – August 2008. Valuation date for the current assessment was July 1, 2009. These sales indicated values per square foot ranging from 171 – 230/sq ft. The complainant then adjusted these values for time (sale to assessment date), site coverage and year of construction to bring them into similarity with the subject. No rationale or supporting information was provided the board on how the adjustment percentages were derived. One of the comparables (4609 Manitoba Road S.E) was a portfolio sale and was rejected by the board as a valid comparable, leaving two which elevated the average to \$185/sq ft. The subject was assessed at \$223/sq ft.

The assessor's equity comparables supported an average of \$215/sq ft. 7 sales comparables were introduced, with the best comparable at 4640 Manhattan Road indicating a value of \$216/sq ft for slightly less net rentable area (10,450 vs subject 12,440) and a smaller parcel (.86 acres vs subject 1.01 acres) – thus supporting the subject assessment at \$223/sq ft.

Insofar as the complainant was unable to support the adjustments on the remaining 2 comparables he offered, the board was persuaded that the assessor's evidence and testimony supported the assessment as rendered.

**Board's Decision:**

The assessment is confirmed at \$2,680,000.

DATED AT THE CITY OF CALGARY THIS 17<sup>TH</sup> DAY OF August, 2010.



**J. P. Acker**  
**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.*