

**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:

ROLL NUMBER:	100007806
LOCATION ADDRESS:	6403 Burbank Road S.E.
HEARING NUMBER:	58405
ASSESSMENT:	\$ 2,360,000

This complaint was heard on the 9th 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 1.15 acres of land zoned I-G improved with a single structure of 15,000 sq ft of leasable space constructed in 1970 with 33% office finish. The improvement comprises 30.02% coverage of the site area.

Issues:

Assessed value in excess of market value

Complainant's Requested Value: \$ 1,950,000

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

The Complainant provided the board with two sales comparables, one of which was a portfolio sale. The board gave little weight to the portfolio sale which left only one comparable which traded in April 2009. The complainant applied a 1% time adjustment to deliver an adjusted price per square foot of \$125. The subject was assessed at \$157/sq ft.

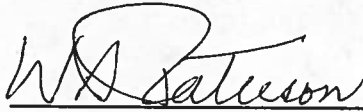
The respondent provided 7 sales comparables, one of which was a non-arms length sale to which the board gave little weight. The remaining six sales were time adjusted to present an average sale price per square foot of \$197.83. The sales comparables presented a range of site size from .34 acres to 2.7 acres vs the subject 1.15 acre size. The age of the improvements ranged from 1957 to 1970 with the subject having been built in 1970. The comparable net rental areas ranged from 8,120 sq ft to 20,699 sq feet versus the subject's 15,000 sq ft.. The office finish percentage of the subject was 33% versus the range in comparables from 8% to 27%.

The board found the evidence of the respondent to be more persuasive than the single comparable submitted by the complainant and after having examined in detail the characteristics of the subject as compared to the sales comparables offered by the respondent; found that this evidence supported the assessment as rendered.

Board's Decision:

The assessment is confirmed at \$2,360,000.

DATED AT THE CITY OF CALGARY THIS 16 DAY OF August 2010.


for 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.*