

**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:**

***Colliers International Realty Advisors, COMPLAINANT***

**and**

***The City Of Calgary, RESPONDENT***

**before:**

***Myron Chilibeck, Presiding Officer  
Robert Kodak, Member  
Richard Glen, 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: 200746022**

**LOCATION ADDRESS: 6991 – 48 ST SE**

**LEGAL DESCRIPTION: Plan 0511880, Block 11, lot 12**

**HEARING NUMBER: 57520**

**ASSESSMENT (2010): \$2,530,000**

This complaint was heard by the Composite Assessment Review board on 13th day of August, 2010 in Boardroom 4 at the office of the Assessment Review Board located at 4<sup>th</sup> Floor, 1212 – 31 Avenue NE, Calgary, Alberta.

Appeared on behalf of the Complainant:

- *Non-appearance*

Appeared on behalf of the Respondent:

- *Ian Mcdermott*

**Board's Decision in Respect of Procedural or Jurisdictional Matters:**

There were no objections to the composition of the Board.

The Board waited for the complainant until 9:15 am at which time the clerk advised that Mr. Porteous had called to advise he would be unable to attend the hearing because of vehicle problems and advised that the Board could proceed to hear the complaint in his absence.

The Board proceeded to deal with the complaint according to s. 463, *Municipal Government Act*.

The Board had three copies made of the evidence filed by the Complainant for each member and read page 2 of 14 for the record. This exhibit was marked as 1A.

**Property Description:**

The subject property is an industrial warehouse constructed in 2007 located in the Foothills district in south east Calgary. The building footprint and rentable area is 11,218 square feet situated on a parcel of land with 1.34 acres or 58,370 square feet. Parcel coverage is 19% and office finish is 0%.

The property assessment is determined using the sales comparison method and is assessed at \$2,530,000 that equates to \$226 per square foot of building area.

The Complainant requests a reduction in the assessment to \$2,131,000 that equates at \$190 per square foot based on five sale comparables.

**Issues:**

The Complaint form identified a list of 14 reasons for complaint.

However the Complainants' evidence package deals with only one issue:

- 1) "The subject property is assessed in excess of market value. We have chosen a set of four sales ---."

**Complainant's Requested Value:**

\$2,131,000

**Board's Decision:**

The assessment is confirmed at \$2,530,000.

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

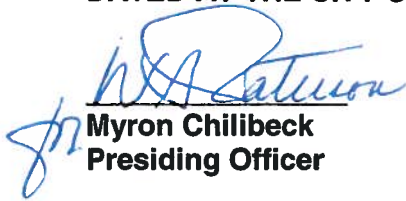
The Complainant provided four sale comparables and the Respondent provided fourteen sale comparables of which two sales are common to both parties, 5442-56 Av and 5716-35 St.

The Board finds these two sales similar to the subject except for age and office finish. These sales sold at a time adjusted sale price at approximately \$243 per square foot of building area and support the assessment at \$226. The Board believes that an adjustment should be made upwards for age and downwards for office finish; the adjusted sale price would support the assessed rate.

The Board agrees that the other sale comparables from the complainant are not sufficiently similar to the subject, most especially in age, parcel coverage and office finish. They are older, have greater parcel coverage and more office finish than the subject. The sale price for these sales would require an adjustment to account for these differences.

The Board is convinced to confirm the assessment at \$2,530,000

**DATED AT THE CITY OF CALGARY THIS 8 DAY OF SEPTEMBER, 2010.**

  
**Myron Chilibeck**  
**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.*