

**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-26.1, Section 460(4).

**between:**

***Altus Group Ltd., COMPLAINANT***

**and**

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

**before:**

***T. Helgeson, PRESIDING OFFICER***

***J. Massey, MEMBER***

***J. Mathias, MEMBER***

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

**ROLL NUMBER: 078076403**

**LOCATION ADDRESS: 3201 OGDEN ROAD S.E.**

**HEARING NUMBER: 59942**

**ASSESSMENT: \$20,820,000**

This complaint was heard on the 3<sup>rd</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 5.

Appeared on behalf of the Complainant:

- *Josh Weber*

Appeared on behalf of the Respondent:

- *Don Kozak and Aram Mohtadi*

**Property Description:**

The subject property is a multiple-tenant industrial warehouse, with a rentable area of 195,585 square feet. Constructed in 2007, the subject property is situated on an 10.11 acre site in the Bonnybrook area of southeast Calgary. The subject property has been assessed at \$20,820,000, or \$106 per square foot.

**Issues:**

1. Is the assessment of the subject property fair and equitable?
2. What is the best approach for valuation of the subject property?

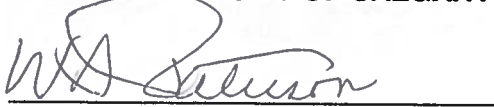
**Complainant's Requested Value:**

The Complainant submitted that the subject is a unique property, a "brand new" building in Calgary's central corridor. In view of limited sales, and the fact that most industrial development in the area is of World War II vintage, equity comparables, whether sales or assessment, are hard to find. Given the circumstances, the best approach to valuation is through typical rents. In the matter of typical rents, four leases signed in the subject property ranged from \$6.25 to \$7.00 per square foot. At a typical rental rate of \$7 per square foot, application of an appropriate Capitalization Rate would yield an assessed value of \$17,360,000.

**Board's Decision:**

The Board noted that the Respondent accepted the Complainant's evidence that suitable equity comparables were few and far between in this case, and that, given past Assessment Review Board decisions, the use of income data for valuation was appropriate. In the result, the Board found for the Complainant, and reduced the assessment to \$17,360,000.

DATED AT THE CITY OF CALGARY THIS 3 DAY OF SEPTEMBER 2010.



 T. Helgeson  
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.*