

**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: 200938942

LOCATION ADDRESS: 3225 54th Avenue S.E.

HEARING NUMBER: 56446

ASSESSMENT: \$11,830,000

This complaint was heard on the 3rd day of August, 2010 at the office of the Assessment Review Board located at 4th Floor, 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 consists of two multi-tenant warehouses, constructed in 1972-3, situated on 8.44 acre site in the Foothills Industrial area of southeast Calgary. The larger warehouse, comprising 138,745 square feet, has 6% office finish and has been assessed at \$73 per square foot, while the smaller building, with 9,685 square feet and 16% office finish, is assessed at \$163.48 per square foot, for an aggregate of \$79.00 per square foot, and a total assessment of \$11,830,000.

Issues:

Is the assessment of the subject property correct and fair and equitable compared to similar properties, taking into account the low site coverage?

Complainant's Requested Value:

Based on equity and a 31% site coverage, the Complainant submitted that the two buildings be amalgamated for assessment purposes at an aggregated value of \$73 per square foot, for an assessment of \$10,830,000.

Board's Decision:

In the absence of sufficient evidence from the Respondent to support the assessment, and in view of the assessments of comparable properties put in evidence by the Complainant, the Board found that an aggregate value of \$73 per square foot for both building on the subject property was fair and equitable, and on that basis, the Board reduced the assessment to \$10,830,000.

DATED AT THE CITY OF CALGARY THIS 2 DAY OF SEPTEMBER 2010.



for **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.*