

**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: 200565992

LOCATION ADDRESS: 7100 44th Street S.E.

HEARING NUMBER: 56378

ASSESSMENT: \$28,560,000

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:

- *Ian Baigent*

Property Description:

The subject property is a warehouse with office extension. Constructed in 1981, the subject has a total rentable area of 421,797 square feet, and is situated on a 24.91 acre site in the Foothills Industrial area of southeast Calgary. The area of the warehouse has been assessed \$65 per square foot, and the office area at \$124.54 per square foot, for an aggregate rate of \$67.

Issues:

Has the subject property been assessed fairly and equitably when compared to assessments of similar properties?

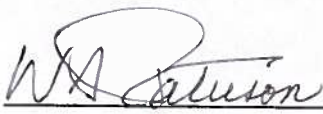
Complainant's Requested Value:

Based on equity and low site coverage, the Complainant submitted that the subject property should be assessed at one rate, \$65 per square foot.

Board's Decision:

In the absence of sufficient evidence from the Complainant to support \$65 per foot as a fair and equitable valuation, and in view of the evidence of the Respondent that income, sales, and assessments of comparable properties supported the assessment as is, the Board confirmed the assessment at \$28,560,000.

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.*