

**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:**

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

**and**

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

**before:**

***R. Irwin, PRESIDING OFFICER***

***P. Charuk, MEMBER***

***D. Deschaine, MEMBER***

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

<b>ROLL NUMBER:</b>	<b>201287372</b>
<b>LOCATION ADDRESS:</b>	<b>4838 Richard Rd SW</b>
<b>HEARING NUMBER:</b>	<b>59791</b>
<b>ASSESSMENT:</b>	<b>\$91,150,000</b>

This complaint was heard on the 11<sup>th</sup> day of Aug, 2010 at the office of the Assessment Review Board located at 4<sup>th</sup> floor, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom # 2

**APPEARED:**

- D Chabot (Altus Group Ltd., Complainant)
- G Kerslake

and

- M. Ryan (City of Calgary Assessment, Respondent)
- T. Woo
- B. Thompson
- J. Lindsay

**PROPERTY DESCRIPTION:**

The subject property is a 329,007 sq. ft. suburban office building located at 4838 Richard Rd SW. There are 162 parking stalls. The property is assessed at \$91,150,000.

**ISSUES:**

- rental rate
- vacancy

**COMPLAINANT'S REQUESTED VALUE:**

The requested value on the complaint form was \$55,000,000 which was revised to \$82,060,000 in the evidence package and at the hearing.

**BOARD'S DECISION IN RESPECT OF EACH MATTER OR ISSUE:**

**VACANCY**

The Complainant requested an increase in the vacancy rate from 6% to 9.5%. The Complainant's presented a suburban office vacancy report and a second quarter 2009 third party report that forecast a 6.7% vacancy rate for "A" buildings in the south of Calgary. There was also a Colliers report that stated the vacancy rate in the southwest quadrant at 8.1%. The Respondent noted that the third party reports were marketing materials and forecasts. The Respondent supplies a 2010 actual vacancy rate study indicating a mean vacancy in the SE and SW quadrants of the city showing a rate of 5.9%. The Respondent also included a 2010 Assessment Request for Information (ARFI) indicating the subject had a 0% Vacancy. The Board agreed and set the vacancy rate at 6% .

**RENTAL RATE:**

The Complainant requested that the rental rate be reduced from 25.00 to \$22.00. The Complainant presented rent rolls for the subject buildings in Westmount Place and illustrated 249,013 SF was assessed at \$22.00 while 79,994SF was assessed at \$25.00. The Respondent supplied a chart of 2010 Calgary Suburban Office Net Rental Rates that

showed a range from \$18.50 to \$25.00 SF in the SE quadrant and a range from \$22.00 to \$25.00 in the SW quadrant.

The board decided that a \$22.00 SF rate would be applied to the subject.

**DECISION**

The assessment is reduced to \$87,880,000

DATED AT THE CITY OF CALGARY THIS 14 DAY OF SEPTEMBER, 2010.

  
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R. IRWIN, 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.*