

**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:

B. Horrocks, PRESIDING OFFICER

S. Rourke, MEMBER

R. Roy, 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:

ROLL NUMBER:	200533727
LOCATION ADDRESS:	5959 90 AV SE
HEARING NUMBER:	59815
ASSESSMENT:	\$6,540,000

This complaint was heard on the 8th day of September, 2010 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 2.

Appeared on behalf of the Complainant:

- Mr. J. Weber (Altus Group Ltd.)

Appeared on behalf of the Respondent:

- Mr. J. Lepine

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

None. The merit hearing proceeded.

Property Description:

The subject property is a 7.82 acre parcel located in SECTION 23 in SE Calgary. The site contains a 33,393 sq. ft. single tenant industrial warehouse with a rentable building area of 36,214 sq. ft. The site coverage is 9.80%. The building was constructed in 2003.

Issues:

The "Assessment Review Board Complaint" form contained 9 Grounds for appeal. At the outset of the hearing, the complainant advised that there were two outstanding issues, namely: "The subject property is in excess of its market value as indicated by the direct sales comparison approach" and "the subject property is inequitably assessed compared to similar and competing properties."

Complainant's Requested Value: \$4,200,000

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

Issue – Equity

The complainant submitted evidence package labelled C-1.

The complainant at page 14 provided a list of 6 sales comparables in the South Foothills Industrial district with Time Adjusted Sales Prices (TASP) ranging from \$78 to \$230 / sq. ft. and a median of \$116 / sq. ft.

The respondent submitted evidence package labelled R-1.

The respondent at page 13 provided a list of 7 sales comparables with TASPs ranging from \$141 to \$230 / sq. ft. with a median of \$196 / sq. ft.

It was noted that both parties had included the sale at 9415 48 St SE. The TASP for that sale was \$141 / sq. ft. Both parties agreed it was the best comparable.


The respondent further advised that the TASP, as noted above, would require a further \$2 / sq. ft. upward adjustment to take into account the Year of Construction (YOC) and the site coverage.

The Board finds the sale at 9415 48 ST SE to be the best comparable, resulting in a value for the subject of \$143 / Sq ft. (\$141 TASP +\$2 adjustment for YOC and site coverage).

Board's Decision:

The 2010 assessment is reduced to \$5,170,000 (\$143 / sq. ft.)

DATED AT THE CITY OF CALGARY THIS 15 DAY OF September 2010.


B. Horrocks
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.*