

**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:

D. Trueman, PRESIDING OFFICER

M. Grace, Board Member

I. Fraser, Board Member

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

ROLL NUMBER: 101047702

LOCATION ADDRESS: 5917 – 5th St. SE

HEARING NUMBER: 57557

ASSESSMENT: \$2,570,000

This complaint was heard on 13th day of September, 2010 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 3.

Appeared on behalf of the Complainant:

- *D. Mewha*

Appeared on behalf of the Respondent:

- *J. Young*

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

There were no preliminary matters prior to the commencement of the hearing.

Property Description:

The subject property is an industrial warehouse building with internal office space consisting of a rentable area of 12,917 sq. ft. on a land base of 42,304 sq. ft..

Issues:

The assessment is based upon a building area which included a mezzanine which had been removed as of the effective condition date.

Complainant's Requested Value:

\$1,380,000

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

The Board accepted the overall average selling price of the comparables located on page 24 of Exhibit C1 as an appropriate indication of market value for the subject property. This was further strengthened by the combined testimony of the parties.

Board's Decision:

The appeal is allowed and the assessment is reduced to \$2,150,000.

DATED AT THE CITY OF CALGARY THIS 1ST DAY OF OCTOBER 2010.



D. Trueman
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.*