

**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: 091019406

LOCATION ADDRESS: 4324 – 12th St.SE

HEARING NUMBER: 59324

ASSESSMENT: \$3,230,000

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 this hearing.

Property Description:

The subject property is an industrial warehouse with internal office space consisting of a rentable area of 27,761 sq. ft. and situated on a land base of 73,979 sq. ft.

Issues:

The 2010 assessment pays no attention to a 2009 assessment reduction based upon a very good sale located at 4344 – 12th St. SE.

Complainant's Requested Value:

\$2,630,000


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

The Board determined that the two best sales indicating market value, at valuation date, were those found on Exhibit C1, page 21 and located at 916 – 42nd Ave. SE and 4344 – 12 street SE, providing support for a \$106 per square foot valuation. This decision was further strengthened by the combined testimony of the parties.

Board's Decision:

The complaint is allowed and the assessment is reduced to \$2,940,000.

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.*