

**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:

Colliers International Realty Advisors, COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

R. Mowbrey, PRESIDING OFFICER

P. Pask, MEMBER

K. Kelly, MEMBER

These are three complaints to the Calgary Assessment Review Board in respect of Property assessments prepared by the Assessor of The City of Calgary and entered in the 2010 Assessment Roll as follows:

ROLL NUMBERS: 049014806
 049015001
 049015100

LOCATION ADDRESSES: 2151 32 ST NE
 2150 29 ST NE
 2256 29 ST NE

HEARING NUMBERS: 57337
 57338
 57339

ASSESSMENTS: \$6,050,000
 \$6,340,000
 \$6,190,000

These complaints were heard on the 16th day of September, 2010 at the office of the Assessment Review Board located at Floor Number 3, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 04.

Appeared on behalf of the Complainant:

- D. Porteous

Appeared on behalf of the Respondent:

- M. Lau

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

Upon questioning by the Presiding Officer, the parties present indicated they had no objection to the composition of the Board. In addition, the Board indicated they had no bias on these files.

Preliminary Issue:

Both parties agreed to hear the three files as one. The evidence and argument is the same for all three cases. The Board agreed and would write only one decision with the three file numbers included.

Property Descriptions:

The subject properties are single-tenant industrial warehouses located in the Sunridge industrial park area, NE Calgary. The properties were constructed in 1998 and have net rentable areas of 65,086 SF, 58,487 SF and 56,634 SF. The properties have assessments of \$107, \$108 and \$109 PSF. The properties are assessed at \$6,050,000, \$6,340,000 and \$6,190,000 respectively.

Issues:

1. What is the market value of the subject properties?

Complainant's Requested Values:

\$5,497,000
\$5,730,000
\$5,550,000

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

1. What is the market value of the assessed properties:

The Complainant noted there were no sales in the Sunridge area, so the Complainant obtained two sales comparables in the NE quadrant and one sale in the Central region. The Complainant gave these three sales comparables as evidence to the Board showing them as compared to the subject

property. The Complainant indicated that sale number two is the best comparable. (Exhibit C-1 page 10). The Complainant advised the Board that the best comparable had a time adjusted sale price per square foot of \$94. The Complainant added \$4 PSF to the comparable, bringing the total to \$98 PSF, which is used to justify the revised assessment request. The additional \$4 PSF adjustment was necessary due to higher site coverage and a greater net rentable area than the subject property. The Complainant provided rent rolls on all three properties. (Exhibit C-1 page 8). The Complainant requests the Board to apply the \$98 PSF to the subject properties.

The Respondent provided an equity chart that had 7 industrial equity comparables to the subject property. The equity comparables were all in the NE quadrant and were similar to the subject property in terms of year constructed, site coverage and net rentable area. The seven equity comparables had a median of \$113 PSF, which supports the assessment. (Exhibit R-1 page 37).

The Respondent provided seven industrial sales comparables to the subject property located all in the NE quadrant. The median of the seven sales was \$120 PSF, which supports the assessment. (Exhibit R-1 page 38).

The Respondent noted that the \$4 PSF upward adjustment the Complainant used on the best comparable was insufficient due to much higher site coverage than the subject property. (51.30 % versus 37.38% for the subject property).

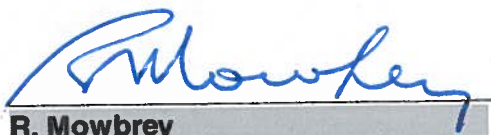
The Board was persuaded by both the Respondent's equity charts to the subject properties and the sales comparables to the subject properties.

The Board was not persuaded by the Complainant's evidence utilizing the upward adjusted \$98 PSF to revise the assessments. It appears the \$4 PSF adjustment is intuitive and does not have the necessary and sufficient evidence to support the adjustment.

Board's Decision:

The assessment of the subject properties are confirmed at \$6,050,000, \$6,340,000 and \$6,190,000.

DATED AT THE CITY OF CALGARY THIS 24 DAY OF September 2010.



R. Mowbrey
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.*

Exhibits

C-1 Complainant's evidence 10 pages.

R-1 Respondent's evidence 41 pages.