

**CALGARY  
COMPOSITE 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 Limited, COMPLAINANT***

**and**

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

**before:**

***L.R. Loven, PRESIDING OFFICER***

***D. Cochrane, MEMBER***

***E. Reuther, MEMBER***

This is a complaint to the Calgary Combined 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: 068134394**

**LOCATION ADDRESS: 340 12 Avenue S.W.**

**HEARING NUMBER: 58771**

**ASSESSMENT: 34,400,000**

This complaint was heard on the 28<sup>th</sup> day of September, 2010 at the office of the Assessment Review Board located at Floor Number 10, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 10.

Appeared on behalf of the Complainant:

- B. Ryan, representing Altus Group Limited, on behalf of Concert Real estate Corporation  
c/o Bentall Real Estate Services

Appeared on behalf of the Respondent:

- D. McCord, representing the City of Calgary

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

Both the Respondent and the Complainant confirmed to the Board that they had no procedural or jurisdictional matters to be raised.

**Property Description:**

The subject property consists of a 120,489 square foot office/highrise building known as Central Park Place, constructed in 1982, located in the Beltline community, on a 0.40 acre site. The assessment is \$34,400,000.

**Issues:**

1. Condition of the Property; and
2. Rental Rate

**Complainant's Requested Value:** \$25,040,000

**Board's Findings in Respect of Each Matter or Issue:**

**Issue 1. Condition of the Property**

The Complainant submitted a 2009-2010 Capital Plan for the subject property listing five deferred capital improvements, totalling approximately \$1,000,000, summarized as follows:

Elevator Modernization Mobilization Payment	\$100,000
Repair Parkade Ramp	\$240,000
Front Exterior Plaza Membrane Repairs	\$57,000
Elevator Controls Upgrade	\$380,000
Replace Boiler, Chiller and Cooling Tower	\$550,000

The Complainant stated that the first three projects were completed in 2009 for the cost given or approximately \$397,000. No further evidence was submitted by the Complainant verifying the completion of the work.

The Respondent confirmed that the work had been completed as stated by the Complainant.

**Issue 2. Office Rental Rate**

The Complainant submitted that the capital projects increased the class of the subject property from a B to an A- and that the rental rate of \$23 per square foot, used to determine the assessed value of \$34,400,000, less the capital expenditures of \$400,000, was applicable.

The Respondent agreed with the Complainant.

Based on its consideration of the foregoing evidence and argument, the Board accepts the parties change of the assessed value to \$34,000,000.

**Summary:**

Based on the agreement and confirmation of the Respondent and Complainant that \$400,000 in capital improvements resulted in the upgrading of the class of the subject property to A- and the applicable rental rate is \$23.00 per square foot, as assessed, the Board accepts that the assessment should be reduced to accordingly.

The valuation method applied in this instance was the Income Approach. The use of this approach to value is contextually allowed in the legislation. The Complainant and Respondent supported the office rental rate of \$23.00 per square foot.

The capital expenditure of \$400,000 was confirmed by the Respondent.

**Board's Decision:**

For the reasons set forth above, the assessment of the subject property is hereby adjusted as follows: \$34,400,000 less the capital cost amount of \$400,000 or \$34,000,000.

DATED AT THE CITY OF CALGARY THIS 18<sup>th</sup> DAY OF October 2010.



**L.R. LOVEN**  
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.*