

**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:

R. Mowbrey, PRESIDING OFFICER

R. Deschaine, MEMBER

P. Grace, 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: 086156296

LOCATION ADDRESS: 5255 RICHMOND RD SW

HEARING NUMBER: 59252

ASSESSMENT: \$21,980,000

This complaint was heard on the 4th day of October, 2010 at the office of the Assessment Review Board located at Floor Number 3, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 9..

Appeared on behalf of the Complainant:

- K. Fong

Appeared on behalf of the Respondent:

- M. Ryan

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

There were no procedural or jurisdictional matters identified.

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 this file.

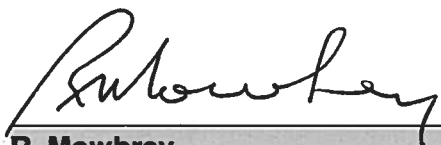
Preliminary Issue:

The Complainant and Respondent jointly advised the Board that a number of factual errors were corrected and there was agreement on a number of the net rentable areas concerning the market rent. When the factual errors were corrected and the agreed upon market rent was adjusted, the corrected amount was \$19,780,000. The parties asked the Board for a decision. The Board recessed, deliberated and rendered a decision. The Board agreed that upon a recalculation sheet, the Board would agree to that amount. The recalculation sheet submitted later in the morning was calculated at \$19,470,000. The recalculation was prepared by the Complainant and confirmed by the Respondent.

Board's Decision:

The decision of the Board is to revise the assessment of \$21,980,000 to \$19,470,000.

DATED AT THE CITY OF CALGARY THIS 7th DAY OF OCTOBER 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 (202 pages).

C-2 Complainant's recalculation sheet (2 pages).

R-1 Respondent's evidence (278 pages).