

REVISED

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:

COMPLAINANT, Altus Group Ltd.

and

RESPONDENT, The City Of Calgary

before:

***R. Irwin PRESIDING OFFICER
A. Blake, MEMBER
D. Morice, 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: 067 023 903

LOCATION ADDRESS: 555 – 4 Avenue S.W. Calgary, Alberta

HEARING NUMBER: 59961

ASSESSMENT: \$69,030,000

This complaint was heard on 29 day of September, 2010 at the office of the Assessment Review Board located at Floor Number 3, 1212-31 Avenue NE, Calgary, Alberta, Boardroom 8.

Appeared on behalf of the Complainant:

- S.Sweeney-Cooper, *Altus Group Ltd.*

Appeared on behalf of the Respondent:

- D. Lidgren, *Assessor City of Calgary*

Preliminary Matters:

None. The merit meeting proceeded

Property Description:

The subject property is a Office/Retail building located at 555 4 Ave Sw. There is 215,524 square feet of office space, 3,475 square feet of retail (lower), 1,403 of retail (upper), 729 square feet of storage space for a total rentable space of 221,131 square feet. There are also 60 parking stalls. The property is assessed at \$69,030,000

Issues:

The complaint form indicated that the matters that apply to this complaint are:

- #3 An assessment amount
- #4 An assessment class

Complainant's Requested Value:

The requested value on the attachment filed with the complaint form was \$41,580,000. The requested value in the evidence was \$48,658,100 based on market value or \$63,844,000 based on an equity argument.

Board Findings:

Both parties agreed that the subject property is a Class "B+" building.

The Complainant presented sales comparable evidence and retail comparables. The Complainant included the request for the office rent to be reduced from \$28.00 to \$21.00 and retail to be reduced from \$32.00 to \$26.00. The complainant also stated that the subject property had a high vacancy rate.

The Respondent replied that some of the comparables submitted by the Complainant were in different market zones and that the subject property's rent roll indicated \$37.00 was being achieved. There was also a Downtown (DT1) survey that resulted in a weighted mean of \$34.31 rent for "B" buildings. The Respondent also noted that the Complainant had not presented any evidence regarding Capitalization Rate.

The Board agreed that there was no Cap rate evidence presented, that there was insufficient evidence presented to warrant a reduction in the retail component and that the office rents were supported by the rent roll. The Board also agreed that the vacancy issue is not a current issue.

Board's Decision:

The Board considered all the evidence and argument presented and agreed that the assessment be confirmed at \$69,030,000

DATED AT THE CITY OF CALGARY THIS 14 DAY OF OCTOBER 2010.



Rob Irwin
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.*