

**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:

L. Wood, PRESIDING OFFICER

E. Reuther, MEMBER

B. Jerchel, MEMBER

This is a complaint to the Calgary Assessment Review Board in respect of a Property assessment prepared by the Assessor of The City of Calgary and entered in the 2010 Assessment Roll as follows:

ROLL NUMBER:	200683324
LOCATION ADDRESS:	5251 22 STREET SE
HEARING NUMBER:	59076
ASSESSMENT:	\$14,820,000

This complaint was heard on 21st day of September, 2010 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 2.

Appeared on behalf of the Complainant:

- Mr. J. Weber

Appeared on behalf of the Respondent:

- Mr. M. Berzins

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

The parties had requested a recess to discuss several complaints that were scheduled on September 21- 23, 2010, including this complaint. The Board granted their request and the hearing commenced at 1:00 pm.

Property Description:

The subject property is comprised of two large multi tenant industrial warehouses located in Valleyfield. The two buildings have a rentable building area of 75,050 sq ft and 39,662 sq ft respectively. The buildings were constructed in 2006 and are situated on a 9.45 acre parcel. The site coverage ratio is 27.87%. The land is zoned I-G, Industrial General.

Issue: (as indicated on the complaint form)

1. The aggregate assessment per square foot applied is inequitable with other assessments.

Complainant's Requested Value: \$13,460,000

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

The Board notes that there were several statements on the appendix to the complaint form; however, it will only address those issues that were raised at the hearing.

1. **The aggregate assessment per square foot applied is inequitable with other assessments.**

The Complainant conceded that the Respondent's sales and equity comparables are better and support the assessment of the subject property (Exhibit R1 pages 25, 49). He stated that there was no compelling evidence to support a reduction and requested that the Board confirm the assessment.

The Respondent was in agreement with the Complainant's request. He indicated that the Complainant's equity comparables would require upward adjustments based on age and site

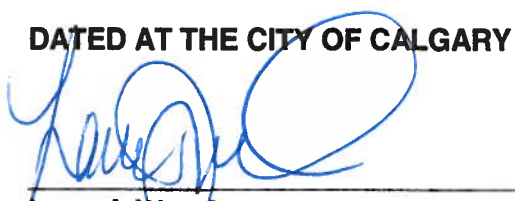
coverage to make them similar to the subject property (Exhibit C1 page 71).

The Board grants the Complainant's request to confirm the current assessment of the subject property.

Board's Decision:

The decision of the Board is to confirm the 2010 assessment of the subject property at \$14,820,000.

DATED AT THE CITY OF CALGARY THIS 19 DAY OF OCTOBER 2010.



Lana J. Wood
Presiding Officer

APPENDIX A**DOCUMENTS RECEIVED AND CONSIDERED BY THE ASSESSMENT REVIEW BOARD:**

NO.	ITEM
Exhibit C1	Evidence Submission of the Complainant
Exhibit C2	Altus Binder
Exhibit R1	City of Calgary's Assessment Brief

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.*