

**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:**

***J. Gilmour, PRESIDING OFFICER***

***P. Pask, MEMBER***

***S. Rourke, 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:

<b>ROLL NUMBER:</b>	<b>054011606</b>
<b>LOCATION ADDRESS:</b>	<b>3016 – 5 Av NE</b>
<b>HEARING NUMBER:</b>	<b>57361</b>
<b>ASSESSMENT:</b>	<b>\$9,450,000</b>

This complaint was heard on the 13<sup>th</sup> day of October, 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:

- *B. Ryan*                      *Agent, Altus Group Ltd.*

Appeared on behalf of the Respondent:

- *C. Neal*                      *Assessor, The City of Calgary*

**Property Description:**

The subject property is located in the Northeast quadrant of Calgary and consists of primarily office space of 55,538 sq. ft. It is classified by the City as "B" class office space with a market net rental rate of \$118. The building was built in 1979.

**Issue:**

The Complainant is seeking a market net rental rate of \$16 for the subject property.

**Board's Decision in Respect of the Issue:**

The only issue before the Board is the value of the market net rental rate. The Complainant is seeking a rate of \$16, with a revised assessment of \$8,300,000.

The City in evidence provided a number of Suburban Office lease comparables located in the Northeast quadrant of the city. All of the lease comparables referred to "B" class buildings of similar size to the subject. All leases were recent terms, convening in the year 2008 or 2009. The median of these leases resulted in a rental rate of \$18.

The Complainant provided little evidence of rental rates for office building in the Northeast to support his request for \$16 as a reasonable rental rate. The City did not rely on a rental rate of \$16 in the city.

**Findings:**

In view of the evidence provided by both parties, the Composite Assessment Review Board finds that the rental rate for the subject property of \$18 is fair and reasonable.

**Board's Decision:**

The assessment is confirmed at \$9,450,000.

DATED AT THE CITY OF CALGARY THIS 10 DAY OF November 2010.

  
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J. Gilmour  
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.*