

**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:

M. Chilibeck, PRESIDING OFFICER

P. Pask, MEMBER

J. Rankin, 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: 177154804

LOCATION ADDRESS: 5149 – COUNTRY HILLS BV NW

HEARING NUMBER: 59409

ASSESSMENT (2010): \$20,040,000

This complaint was heard by the Composite Assessment Review Board on 21st day of October, 2010 at the office of the Assessment Review Board in Boardroom One located on Floor Number Four at 1212 – 31 Avenue NE, Calgary, Alberta.

Appeared on behalf of the Complainant:

- *D. Hamilton*

Appeared on behalf of the Respondent:

- *B. Thompson*

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

There were no objections to the composition of the Board.

There were no preliminary matters raised.

Property Description:

The subject property is a shopping centre in northwest Calgary known as Country Hills Village. The subject consists of 298,278 square feet of land improved with 64,112 square feet of building area.

Issues:

The ARB Complaint form identified several reasons for complaint. However at the outset of the hearing, both parties advised the Board that the issues have been resolved and have agreed to a revised assessment of \$18,780,000.

Complainant's Requested Value:

\$17,680,000.

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

The Board was advised that the following changes resulted in a revised assessment:

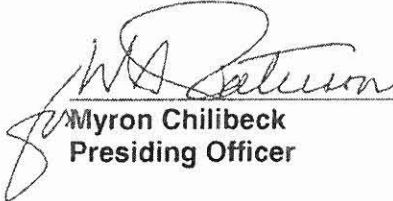
- 1) Change the property classification from community centre to neighbourhood centre because the subject does not have an anchor tenant. This change alters the vacancy factor for CRU space from 2% to 4%.
- 2) Change the restaurant area from free standing to CRU category.
- 3) Change two CRU areas to one because they are occupied by one business entity. This change places it in a different CRU area stratification.

The Complainant agreed to the changes and revised assessment presented by the Respondent.

Board's Decision:

The assessment is changed to \$18,780,000.

DATED AT THE CITY OF CALGARY THIS 26th DAY OF OCTOBER 2010.


Myron Chilibeck
Presiding Officer

APPENDIX "A"

DOCUMENTS RECEIVED AND CONSIDERED BY THE CARB

No.	Item
1.	Exhibit 1C Complainant's Evidence
2.	Exhibit 2R Respondent's Evidence

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.*