

CALGARY

**COMPOSITE 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:

Steven C. Kashuba, PRESIDING OFFICER

J. Massey, 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: 048040208

LOCATION ADDRESS: 2316 – 27 Avenue NE

HEARING NUMBER: 59781

ASSESSMENT: \$4,690,000

This complaint was heard on 26th day of October, 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:

- *G. Kerslake*

Appeared on behalf of the Respondent:

- *R. Powell*

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

There were no procedural or jurisdictional matters raised.

Property Description:

The subject property, located at 2316 – 27 Avenue NE, is a multi-tenant industrial warehouse constructed in 1979 in the South Airways Industrial Subdivision. The building sits on 3.04 acres of land, is a single storey with a net rentable area of 53,227 square feet, and is assessed at \$88 per square foot. The site coverage is 40.19%, and a finish of 47%. The current assessment is \$4,690,000.

Issues:

1. The equity comparables do not support the current assessment.

Complainant's Requested Value: \$4,360,000.

Issue #1: Equity:

Position of Complainant:

In support of their position that the subject property is over-assessed, the Complainant presented 5 equity comparables (C-1, page 14). These equity comparables reflect rentable areas ranging from 60,000 square feet to 64,000 square feet while the subject property has a rentable area of 53,227 square feet. The Complainant submitted that the variables evident in the equity comparables in terms of year of construction, location, finish, and site coverage are consistent with the particulars of the subject property and therefore provide strong support for a reduction in the assessment amount.

Position of Respondent:

To support the current assessment, the Respondent provided a further analysis of the Complainant's equity comparables (R-1, page 22) along with 3 equity comparables of their own (R-1, page 23). The Respondent argued that their equity comparables reflect similarities to that of the subject property in terms of site coverage, year of construction, rentable area, and finish. The Respondent also noted that the assessment rate per square foot in each comparable was very close to the assessment rate per square foot of the subject property thereby lending support to their submission that the assessment is fair and correct.

Findings and Decision of Board as Regards Issue #1:

The Board finds that the equity comparables presented by the Complainant, on average, reflect larger rentable areas and, therefore, are not the best reflection of assessment values per square foot. In contrast, the Board accepts that the three equity comparables presented by the Respondent do reflect the characteristics of the subject property and support the assessment value per square foot.

Board's Decision:

It is the decision of the Board to confirm the assessment of the subject property for 2010 at \$4,690,000.

Reasons:

The Board is persuaded by the equity comparables presented by the Respondent as being reflective of the values attached to the subject property.

DATED AT THE CITY OF CALGARY THIS 3 DAY OF November 2010.



Steven C. Kashuba
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.*