

**CALGARY
COMPOSITE ASSESSMENT REVIEW BOARD (CARB)
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:

Colliers International Realty Advisors, COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

P. Irwin, PRESIDING OFFICER

J. O'Hearn, MEMBER

J. Joseph, MEMBER

A hearing was convened on October 26th, 2010 in Boardroom 3 at the office of the Calgary Assessment Review Board, located at 1212 – 31 Avenue NE, Calgary, Alberta in respect of the Property assessment prepared by the assessor of the City of Calgary, and entered in the 2010 Assessment Roll as follows:

ROLL NUMBER:	101036309
LOCATION ADDRESS:	6101 CENTRE ST SW
HEARING NUMBER:	57276
ASSESSMENT:	\$1,970,000

PART A: BACKGROUND AND DESCRIPTION OF PROPERTY UNDER COMPLAINT

The subject property is a 0.80 acre parcel of land with a multiple tenant industrial warehouse (IW M) building on it, located in the Central Industrial Region (Manchester Community) of Calgary. The one storey building was built in 1966 and has a rentable area of 11,520 square feet (sf). The building has a site coverage of 33.26% and the Land Use Guideline (LUG) is Commercial – Corridor (C-COR3). The assessment of the building was based on the sales approach and the rate used was \$171 per sf.

PART B: PROCEDURAL OR JURISDICTIONAL MATTERS

There were no objections to the composition of the Board, nor were there any jurisdictional matters.

PART C: MATTERS/ ISSUES

Is the assessment on the subject property too high?

The Complainant provided a description and photograph of the subject property, and went through the assessment explanation supplement, noting that the building had a site coverage of 33.26% and the Land Use Guideline (LUG) for the area was Commercial – Corridor (C-COR3). Noting that there had been no recent sales transactions of warehouses in the neighbourhood, he stated that the most reasonable estimate of a fair and equitable assessment would be \$120 per sf, consistent with other nearby quasi-retail/ warehouse properties.

The Complainant provided equity comparables for: 104 – 61 Av SW; 6039 Centre St SW; 6045 Centre St SW; and 6045 Centre St SW. He stated that these comparables had the same zoning as the subject and their assessments rates were much lower.

The Respondent provided an evidence package that included an ortho map, a completed Assessment Request for Information form, tables of equity and sales comparables, and 2010 CARB decisions #1067 and #1068. The seven equity comparables had assessment rates ranging from \$168 to \$182 per sf. The four sales comparables had time-adjusted sales prices ranging from \$182 to \$222 per sf. Three of these sales had parcel sizes that were very similar to the subject property.

Board's Findings and Reasons in Respect of Each Matter or Issue:

The Board thoroughly reviewed all of the data and information that was presented to it. The Board found that the Respondent's sales comparables supported the assessment. All of the sales prices were well above the assessment of the subject property. Although one sale was for a property considerably larger than the subject, the other three had very good comparability to the subject. The Respondent's equity comparables also gave a suitable measure of confidence in the assessment of the subject. By contrast, the Complainant's equity comparables were all for properties of a larger, or significantly larger, area and understandably resulted in a lower assessment per sf, but the comparability was diminished and the Board therefore gave them less weight. The Board finds that the assessment has been prepared correctly.

PART D: FINAL DECISION(S)

The 2010 assessment on the subject property is confirmed, at \$1,970,000.

DATED AT THE CITY OF CALGARY THIS 2nd DAY OF NOVEMBER 2010.



P. Irwin
Presiding Officer

APPENDIX "A" : ORAL REPRESENTATIONS

<u>PERSON APPEARING</u>	<u>CAPACITY</u>
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<i>Michael Uhryn</i>	<i>Colliers International Realty Advisors, on behalf of 1414225 Alberta Ltd.</i>
<i>George Bell</i>	<i>Assessor, City of Calgary</i>

APPENDIX "B" : DOCUMENTS RECEIVED BY THE ASSESSMENT REVIEW BOARD

Document C – 1	Complaint Brief (considered)
Document R – 1	Respondent's Brief (considered)

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.*