

**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:

Altus Group Ltd., COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

J. Fleming, PRESIDING OFFICER

P. Charuk, MEMBER

K. Kelly, 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: 200176147

LOCATION ADDRESS: 750 Heritage Dr. SE

HEARING NUMBER: 59198

ASSESSMENT: \$16,670,000

This complaint was heard on the 28th day of October, 2010 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 1.

Appeared on behalf of the Complainant:

- K. Fong *for the Complainant*

Appeared on behalf of the Respondent:

- K. Gardiner; City of Calgary *for Respondent*

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

At the commencement of the hearing, the parties advised that this hearing was for a property quite close to the property outlined in CARB 1976/2010-P. The parties had conferred and agreed that the rental rate should be \$16.00 per square foot for the anchor tenants in both properties given their similarity in use and size. Accordingly, the respondent provided a revised Income Approach Calculator (Ex. 1R) which amended the rental rate from \$22.00 to \$16.00 per square foot for the anchor tenant and thus revised the value to \$13,240,000.

There were no other procedural or administrative matters raised.

Property Description:

The property is a 4 building multi tenant retail property with Home Outfitters as the anchor tenant. The property was built in 2002 and contains 50,143 square feet on an 8.72 acre site. The land use designation is Retail – Shopping Centres – Power and the property is valued on the Income Approach.

Board's Decision:

In accordance with the data noted above, the Assessment is reduced to \$13,240,000

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


James Fleming
Presiding Officer

APPENDIX "A"**DOCUMENTS RECEIVED AND CONSIDERED BY THE CARB**

No.	Item	
1.	Document 1C	Complainant's Brief
2.	Document 1R	Respondent's Brief
3.	Exhibit 1R	Respondents Revised Value

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.*