

**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-26.1, Section 460(4).

**between:**

**Assessment Advisory Group Ltd., *COMPLAINANT***

**and**

***The City Of Calgary, RESPONDENT***

**before:**

J. Noonan, ***PRESIDING OFFICER***

P. Charuk, ***MEMBER***

R. Glenn, ***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:

<b>ROLL NUMBER:</b>	078066404
<b>LOCATION ADDRESS:</b>	3320 9 St SE
<b>HEARING NUMBER:</b>	58412
<b>ASSESSMENT:</b>	\$2,670,000

This complaint was heard on the 3rd day of November, 2010 at the office of the Assessment Review Board located at the 4<sup>th</sup> Floor, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 2.

Appeared on behalf of the Complainant:

- T. Howell, Commercial Property Tax Agent – Assessment Advisory Group Ltd.

Appeared on behalf of the Respondent:

- T. Luchak, Assessor - *The City of Calgary*

**Property Description:**

The subject is located at 3320 9 St SE, Calgary. It is a 16,180 sq.ft. warehouse with 23% office finish built in 1967 on 1.31 acres in the Highfield Industrial area. The assessed value is \$2,670,000.

**Issue:**

Do the sales and equity comparables show the subject to be over-assessed?

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

The Complainant submitted 5 sales comparables adjusted for date of sale, improvement size, lot size, and year of construction where applicable and determined an adjusted average sale price per sq.ft. Here, the adjusted average was \$140 and when applied to the subject, produced the requested assessment of \$2.27 million. The Complainant made an adjustment of 5% for a variance in building size of 7000-8000 sq.ft., a 5% adjustment for a 7%-8% site coverage variance, and a 5% adjustment for a 9 year age difference. In rebuttal evidence, 3 equity comparables showed assessed values of \$158, \$127, and \$155 per sq.ft. compared to the subject's \$166.

Respondent's evidence showed 7 equity comparables in a range of \$155 - \$192 per sq.ft. and 6 sales comparables which, it was argued, required far fewer adjustments than those of the Complainant.

The Composite Assessment Review Board (CARB) took little instruction from the equity comparables other than noting that, as to be expected, those of the Complainant showed lower values per sq.ft. than the subject, and those of the Respondent generally higher.

The CARB was not persuaded that the adjustments for building size and site coverage were sufficient or accurate reflections of market value. The best evidence before the Board was the sale at 6020 3 St SE, of similar building age and almost identical building size. The significant difference was the .7 acre larger site for the property that sold at \$3.2 million time-adjusted. Compared to the subject's valuation of \$2.67 million for a 1.3 acre site, the relative values looked reasonable.

**Board Decisions on the Issues:**

The Board confirms the assessment of \$2,670,000.

DATED AT THE CITY OF CALGARY THIS 8 DAY OF November 2010.



J. Noonan  
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.*