

**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>	201045853
<b>LOCATION ADDRESS:</b>	5325 6 St SE
<b>HEARING NUMBER:</b>	58415
<b>ASSESSMENT:</b>	\$2,810,000

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 5325 6 St SE, Calgary. It is a warehouse with a footprint of 6750 sq.ft. and 9375 sq.ft. of net rentable area, 52% office finish, built in 1961 on 1.57 acres in the Manchester Industrial area. Site coverage is 9.87%. The assessed value is \$2,810,000.

**Issue:**

Do the sales comparables show the subject property is over-assessed?

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

The Complainant presented 4 sales comparables adjusted for date of sale, building size, site coverage, and year of construction where applicable, to determine an average adjusted sale price of \$187 per sq.ft. This average adjusted value applied to the subject produced a requested assessment of \$1,750,000.

The Respondent questioned the validity of the adjustments employed by the Complainant, and introduced 7 sales comparables. It was also pointed out that of the Complainant's sales comps, 2 improvements were about double that of the subject, 1 was part of an 8-building portfolio sale and another was a 1910 structure.

The Composite Assessment Review Board (CARB) was not persuaded that the Complainant's adjustments for building size and site coverage were sufficient or accurate. The best evidence before the Board was the sale at 5632 Burbank Rd., a slightly larger parcel of .57 acre vs. .52 for the subject adjusted to typical coverage, with 8160 sq.ft. of net rentable area vs. 9375. That property sold for just under \$1.6 million and the CARB felt that the subject value at \$1.75 million for its improvement at typical coverage was justified considering its 1200 sq.ft. of extra development. When the additional land of just over an acre is considered, the assessment appears fair.

**Board Decisions on the Issues:**

The Board confirms the assessment of \$2,810,000.

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



*for*  
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.*