

**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, Section 460, Revised Statutes of Alberta 2000 (the Act).

between:

***Continental Laboratories (1985) Ltd (as represented
by Assessment Advisory Group Inc), COMPLAINANT***

and

The City Of Calgary, RESPONDENT

before:

***B. Horrocks, PRESIDING OFFICER
S. Rourke, MEMBER
J. Rankin, MEMBER***

This is a complaint to the Calgary Assessment Review Board in respect of a property assessment prepared by the Assessor of The City of Calgary and entered in the 2012 Assessment Roll as follows:

ROLL NUMBER:	032030306
LOCATION ADDRESS:	3601 21 ST NE
HEARING NUMBER:	67140
ASSESSMENT:	\$3,210,000

This complaint was heard on the 4th day of July, 2012 at the office of the Assessment Review Board located at Floor Number 3, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 9.

Appeared on behalf of the Complainant:

- Mr. S. Cobb (Assessment Advisory Group Inc)

Appeared on behalf of the Respondent:

- Mr. J Greer (City of Calgary)

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

[1] There were no concerns with the Board as constituted.

[2] There were no preliminary matters. The merit hearing proceeded.

Property Description:

[3] The subject property is a 1.89 acre parcel located in the North Airways Industrial community in NE Calgary. The site is improved with a 19,600 square foot (SF) multi-bay warehouse that was constructed in 1979. The Finish is 52%, the Site Coverage is 23.86% and the Assessable Building Area is 25,923 SF. The subject is assessed at the rate of \$124.17/SF utilizing the Sales Comparison approach to value.

Issues:

[4] The Assessment Review Board Complaint Form contained the statement; "The assessed value is incorrect, and fails to meet the legislated standard of market value and also fails to meet the requirements for equity in assessments", amongst other things.

Complainant's Requested Value: \$2,540,000 (Complaint Form)
\$2,680,000 (Hearing)

Board's Decision in Respect of Each Matter or Issue:

Issue: What is the market value, for assessment purposes?

[5] The Complainant's Disclosure is labelled C-1.

[6] The Complainant submitted a "corrected" page 2 which was accepted by the parties. The Complainant made additional corrections to page 2 verbally. The corrected page 2, contains 6 purported sales comparables with assessment rates ranging from \$86 to \$134/SF. The Complainant advised the sale at 3536 27 ST NE should be removed because it is vendor financed. Further, the sale at 3640 11A ST NE should be reduced because it included extra land. The Complainant calculated the median assessment of the remaining 5 sales to be \$103.50/SF in support of his request for an assessment of \$2,680,000.

[6] The Respondent's Disclosure is labelled R-1.

[7] The Respondent, on page 12, submitted a chart titled 2012 Industrial Sales Chart (NE sales from 20,000 to 30,000 SF plus the only NA3 industrial sale), which contained 5 sales comparables with time adjusted sale prices per square foot (TASP/SF) ranging from \$111.80 to \$172.03/SF, and a median of \$124.77/SF, noting the subject is assessed at a rate of \$124.17/SF. The Respondent submitted the best comparable was the sale at 2420 39 AV NE which had a TASP/SF of \$157.84/SF. The Respondent acknowledged that all of its sales comparables were for single bay warehouses, whereas the subject is multi-bay.

[8] The Respondent, on page 14, submitted the Complainant's Equity Chart noting the median assessment rate is \$121.68/SF while the subject is assessed at the rate of \$124.17/SF. The Respondent submitted the property located at 3700 19 ST NE was very comparable to the subject, and it is assessed at \$121.68/SF in comparison to the subject assessment at \$124.17/SF.

[9] The Board finds the Respondent's sale comparables and the Complainant's equity comparables support the assessment.

Board's Decision:

[10] The 2012 assessment is confirmed at \$3,210,000.

Reasons:

[11] The Respondent's sale comparables support the market value and the Complainant's equity comparables support the assessment.

DATED AT THE CITY OF CALGARY THIS 2 DAY OF AUGUST 2012.


B. Horrocks
Presiding Officer

APPENDIX "A"**DOCUMENTS PRESENTED AT THE HEARING
AND CONSIDERED BY THE BOARD:**

NO.	ITEM
1. C1	Complainant Disclosure
2. R1	Respondent Disclosure

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.*

For Administrative Use

Subject	Property type	Property Sub-type	Issue	Sub-issue
CARB	Warehouse	Multi-bay	Sales Approach	Equity Only