

**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:

***Shawco Holdings B. & C. 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:	101014900
LOCATION ADDRESS:	5938 CENTRE ST SE
HEARING NUMBER:	67170
ASSESSMENT:	\$2,050,000

This complaint was heard on the 5th 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)
- Mr. T. Youn (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 0.98 acre parcel located in the Manchester Industrial community in SE Calgary. The site is improved with a 12,150 square foot (SF) single bay warehouse (IWS) that was constructed in 1971, has 45% finish, 28.58% site coverage and an assessable building area of 12,986 SF. The subject is assessed at the rate of \$157.87/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 for market value and fails to meet the requirements for equity in assessment", amongst other things.

Complainant's Requested Value: \$1,818,000 (Complaint Form)
\$1,730,000 (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, at page 19, provided a table labelled Industrial Sales Comparables which contained 4 sales in the period April 2009 to May 2011, with sale price per SF ranging from \$125.85 to \$137.49 and a median of \$135.18/SF, in support of their request for an assessed rate of \$133/SF.

[7] The Respondent, in reviewing the Complainant's sales comparables, submitted the properties located at 4301 9 ST SE (sale price/SF of \$125.85) and 402 53 AV (sale price/SF of \$114.52 after correcting the area to 18,338 SF) are inferior to the subject. In addition, the sale of 1341 HASTINGS CRES SE is invalid because the parties were related. The remaining comparable is located at 5520 4 ST SE with a sale price/SF of \$134.09.

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

[9] The Respondent, at page 12, provided a table titled 2012 Industrial Sales Chart which contains 8 sales with (TASP/SF) ranging from \$117.51 to \$220.37 with a median of \$137.05/SF, noting the subject is assessed at the rate of \$157.87/SF. The Respondent noted the comparables bracket the size of the subject and that 3 of the comparables are common to both parties. In addition the subject has greater finish (45%), and is newer than the comparables, with two exceptions.

[10] The Board finds the best comparable is located at 5520 4 ST SE (TASP/SF of \$141.21). It is similar in size and site coverage to the subject, but the subject is superior because it is newer and has a higher finish percentage. As a result, the subject should be assessed higher than the best comparable.

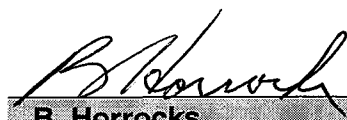
Board's Decision:

[11] The 2012 assessment is confirmed at \$2,050,000.

Reasons:

[12] The sales comparables from both parties, with appropriate adjustments, support the assessment.

DATED AT THE CITY OF CALGARY THIS 9 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	Single bay	Sales Approach	Market value