

**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:

***Canadian Property Holdings (Alberta) Inc. (as represented by Altus Group Limited),
COMPLAINANT***

and

The City Of Calgary, RESPONDENT

before:

***B. Horrocks, PRESIDING OFFICER
H. Ang, MEMBER
D. Morice, 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:	117010108
LOCATION ADDRESS:	5353 72 AV SE
HEARING NUMBER:	67892
ASSESSMENT:	\$27,570,000

This complaint was heard on the 26th day of July, 2012 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 3.

Appeared on behalf of the Complainant:

- Mr. D. Mewha (Altus Group Limited)

Appeared on behalf of the Respondent:

- Mr. J. Lepine (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.
- [3] At the outset it was agreed that the same comparables from C-1 and the same rebuttal (C-2) from Hearing # 68383 would be carried forward to this hearing as well as the initial response argument from the Respondent.

Property Description:

- [4] The subject property is a 15.29 acre parcel located in the Starfield Industrial Park in SE Calgary. The site is improved with two multi bay warehouses (IWM) that were constructed in 2001 and are 178,750 square feet (SF) and 200,200 SF respectively. One warehouse has 5% finish, 56.91% site coverage, 178,750 SF of assessable area and is assessed at the rate of \$73.81/SF, while the larger warehouse has 4% finish, 56.91% site coverage, 200,200 SF of assessable area and is assessed at the rate of \$71.83/SF.

Issues:

- [5] The Assessment Review Board Complaint Form contained 11 Grounds for complaint. At the outset of the hearing the Complainant advised there was only one outstanding issue, namely: "The aggregate assessment per square foot applied to the subject is inequitable with assessments of other similar and competing properties and should be \$63 psf".

Complainant's Requested Value: \$24,900,000 (Complaint Form)
\$23,490,000 (Hearing)

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

Issue: Is the subject assessed inequitably?

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

[7] The Complainant, at page 18, provided a table titled Equity Information which contained 4 purported equity comparables with assessment rates per SF ranging from \$60 to \$63/SF and a median of \$62/SF in support of the requested assessment rate of \$62/SF. It was noted that all of the comparables are located in the Foothills Industrial Park while the subject is located in the Starfield Industrial Park which is considerably newer. The Complainant identified the best comparable as the property located at 5353 50 ST SE because it is multi improved, the same as the subject.

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

[9] The Respondent, at page 12, provided a table titled 2012 Industrial Equity Chart which contained 11 comparables with assessment rates per SF ranging from \$68.00 to \$109.78 noting the subject is assessed at the rate of \$71.83 and \$73.81/SF respectively, within the range. The comparables were located throughout the SE region of the City.

[10] The Respondent, at page 13 provided a table titled 2012 Industrial Equity Chart which contained 3 comparables that were multi improved. The Respondent identified the best comparable as that property located in the same industrial park at 4800 52 ST SE which has a combined assessment rate per SF of \$90.60/SF compared to the subject which has a combined assessment rate of 72.76/SF.

[11] The Board finds the Respondent's evidence more compelling and concludes that the subject is equitably assessed.

Board's Decision:

[12] The 2012 assessment is confirmed at \$27,570,000.

Reasons:

[13] The Respondent's equity comparables, all in the Starfield Industrial Park support the assessment.

[14] The Respondent's equity comparables for multi improved sites support the assessment.

DATED AT THE CITY OF CALGARY THIS 28 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
3. C2	Complainant Rebuttal

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