

**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:

***Hoopp Realty Inc./Les Immeubles Hoopp 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:	201691193
LOCATION ADDRESS:	6335 57 ST SE
HEARING NUMBER:	67799
ASSESSMENT:	\$11,570,000

This complaint was heard on the 23rd 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] It was agreed by the parties that all evidence and argument from Hearing #66642 would be brought forward to this hearing.

Property Description:

- [4] The subject property is a 56.17 acre parcel of unimproved land located in the Starfield Industrial community in SE Calgary. The subject is assessed using the sales comparison approach to value, with negative adjustments of 25% each for Limited access and Partial services.

Issues:

- [5] The Assessment Review Board Complaint Form contained 9 Grounds for complaint. At the outset of the hearing the Complainant advised the only outstanding issue was "The assessment of the subject property is in excess of its market value for assessment purposes."

Complainant's Requested Value: \$8,700,000 (Complaint Form)
\$8,750,000 (Hearing)

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

Issue: What is the market value for assessment purposes?

- [7] The Complainant's Disclosure is labelled C-1.
- [8] The Complainant, at page 14, provided the RealNet report for the sale of the subject on June 30, 2011 (the evaluation date for 2012 assessments) for a sale price of \$8,750,000.
- [9] The Complainant, at page 149, provided a table titled Non-Residential Sales (July 2008 – June 2011) which had been prepared by the City of Calgary, noting the sale of the subject for the sale price of \$8,750,000.

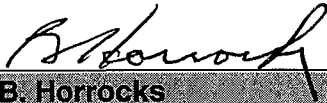
[10] The Respondent did not challenge the Complainant's evidence.

[11] The Board finds the sale of the subject for \$8,750,000, on the evaluation date, to be the best indicator of market value for assessment purposes.

Board's Decision:

[12] The 2012 assessment is reduced to \$8,750,000.

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	Other	Vacant Land	Sales Approach	Base rate