

**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:

***Sun Life Assurance Company of Canada,
(as represented by MNP LLP), COMPLAINANT***

and

The City of Calgary, RESPONDENT

before:

***L. Wood, PRESIDING OFFICER
A. Huskinson, MEMBER
R. Kodak, 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:	033037904
LOCATION ADDRESS:	3419 12 ST NE
HEARING NUMBER:	65886
ASSESSMENT:	\$7,760,000

This complaint was heard on the 19th day of July, 2012 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 9.

Appeared on behalf of the Complainant:

- Mr. M. Uhryn Agent, MNP LLP

Appeared on behalf of the Respondent:

- Mr. I. McDermott Assessor, City of Calgary

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

[1] At the commencement of the hearing, the parties requested that files #65888, #65890, #65886 and #66532 be cross referenced as the evidence and argument is similar. The Board agreed with the parties' request.

Property Description:

[2] The subject property is comprised of three, multi tenant, industrial warehouses located on a 5.17 acre site in McCall. The first warehouse, built in 1977, has an assessable building area of 29,952 sq. ft., and 47% finish. The second, built in 1976, has an assessable building area of 16,128 sq. ft., and 38% finish. The third, also built in 1976, has an assessable building area of 28,110 sq. ft., and 54% finish. The buildings have a 32.77% site coverage ratio, and were assessed as a Quality C. The land use designation is I-G, Industrial General.

[3] The warehouses were assessed based on the Direct Sales Comparison Approach at \$99.86 psf, \$120.86 psf and \$100.59 psf respectively, and an overall assessed rate of \$104.70 psf. A multi building coefficient was applied to this assessment but it was not provided to the Board.

Issue:

[4] Based on the Direct Sales Comparison Approach, the assessed rate for the subject property should be \$81.00 psf.

Complainant's Requested Value:

[5] The Complainant submitted the assessed value for the subject property should be \$6,009,390 or \$81 psf.

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

[6] The Complainant submitted four sales comparables of single and multi building industrial sites located in the NE quadrant (Exhibit C1 page 31). The sales occurred in October 2009 – June 2011. The buildings were constructed in 1976 – 1981; have an assessable building area of 49,703 – 96,804 sq. ft.; a finish percentage of 3% - 73%; and a site coverage ratio of 33.66%

- 43.84%. The sale price ranged between \$70 - \$101 psf; a median of \$81 psf. (It was noted at the hearing that data errors were reported for the property located at 2835 23 ST NE: the total square footage for the two warehouses was reported as 64,356 sq. ft. as opposed to 24,330 sq. ft. for each of them. The property sold for \$92 psf as opposed to \$70 psf and it was assessed for \$99 psf as opposed to \$75 psf).

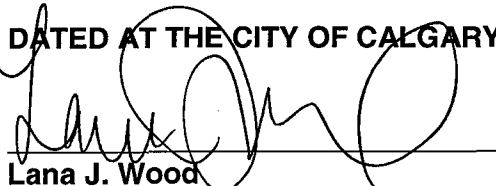
[7] The Respondent presented ten single and multi building industrial sites located in the NE quadrant in support of the subject property's assessment (Exhibit R1 page 19). The sales occurred in August 2008 – June 2011. The buildings were constructed in 1966 – 2008; have an assessable building area of 13,116 – 69,906 sq. ft.; a finish percentage of 0% - 64%; and a site coverage ratio of 23.53% - 46.7%. The (time adjusted) sale price ranged between \$92 - \$157.84 psf.

[8] The Board finds the best comparable presented by the Complainant is the property located at 2835 23 ST NE, which was the only multi building site included in his analysis. The Board finds that this sale comparable is similar to the subject property in terms of assessable building areas, age, finish, site coverage and quality. However the sale was not reported accurately by the Complainant (as noted above) in terms of assessable building areas, price (psf) and assessed rate (psf). Once the data errors have been corrected, this sale comparable supports the current assessment for the subject property. No further analysis is warranted.

Board's Decision:

[9] The decision of the Board is to confirm the 2012 assessment for the subject property at \$7,760,000.

DATED AT THE CITY OF CALGARY THIS 24 DAY OF October 2012.


Lana J. Wood
Presiding Officer

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

NO.	ITEM
1. C1	Complainant's Evidence
2. C2	Complainant's Rebuttal
3. R1	Respondent's Evidence

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	Warehouse Multi Tenant	Sales Approach	Land & Improvement Comparables