

**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:

623201 Alberta Ltd. (as represented by AltusGroup Limited), COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

***Board Chair, J.Zezulka
Board Member, A. Huskinson
Board Member, J. Massey***

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: 100010057

LOCATION ADDRESS: 6325 - 11 Street SE

HEARING NUMBER: 68075

ASSESSMENT: 6,530,000

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

Appeared on behalf of the Complainant:

- *R. Worthington*

Appeared on behalf of the Respondent:

- *G. Bell*

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

- (1) There were no preliminary issues or jurisdictional issues raised by either party.

Property Description:

- (2) The subject is a multi tenant industrial warehouse, located in the Burns industrial district, of SE Calgary. The net rentable building area is 72,101 square feet (s.f.). The date of construction is 1977. The site area is 3.86 acres. Site coverage is 42.18 per cent.

Issues / Appeal Objectives

- (3) The property is currently being assessed using the sales comparison approach. The assessment calculates to \$90.67 per s.f. of building.
- (4) The Complainant does not dispute the valuation method. However, the Complainant maintains that the assessment amount is not equitable with similar properties, based on sales of similar properties, and based on assessments of similar properties.

Complainant's Requested Value: \$5,330,000, amended to \$5,470,000 at the hearing.

Evidence / Argument

- (5) The Complainant submitted five sales comparables that reflected a median time adjusted selling price of \$109 per s.f. The median assessment of the same properties is \$76 per s.f..
- (6) The Complainant also submitted eight assessment equity comparables. Assessments range from \$69 to \$83 per s.f.. The median is \$78. Building sizes range from 50,505 to 81,258 s.f. Site coverages are similar to the subject. In all cases, however, the ratio of interior finishing is lower than the subject.
- (7) The Respondent submitted four sales of comparable properties. Three were withdrawn by the Respondent at the hearing on the grounds that they are not comparable. The remaining comparable reflected a time adjusted selling price of \$82.52 per s.f..
- (8) The Respondent also submitted four equity comparables. Three of the four reflected per s.f. assessments lower than the subject's.

Board's Findings

- (9) The Respondent's own evidence did not support the existing assessment.
- (10) The average of the Complainant's four equity comparables in the Burns Industrial Park, the same area as the subject, is \$78 per s.f., which is equal to the requested assessment.
- (11) The bulk of the evidence before this Board supports the position of the Complainant.

Board's Decision

- (12) The assessment is reduced to \$78 per s.f., or \$5,623,878, truncated to \$5,620,000.

DATED AT THE CITY OF CALGARY THIS 12th DAY OF September, 2012.



Jerry Zezulka
Presiding Officer

APPENDIX "A"

**DOCUMENTS PRESENTED AT THE HEARING
AND CONSIDERED BY THE BOARD:**

NO.	ITEM
1.	C1Evidence Submission of the Complainant
2.	C2 Rebuttal Submission of the Complainant
3.	R1Evidence Submission of the Respondent

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.

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Decision No. 0679/2012 - P			Roll No. 201386745	
<u>Subject</u>	<u>Type</u>	<u>Issue</u>	<u>Detail</u>	<u>Issue</u>
CARB	Retail	Income / Equity	Rent	Assessed rent