

**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:

Airstate 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: 100010552

LOCATION ADDRESS: 6125 - 12 Street SE

HEARING NUMBER: 68290

ASSESSMENT: 4,120,000.00

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 procedural or jurisdictional matters 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 assessable building area is 43,840 square feet (s.f.). The date of construction is 1977. The finish ratio is 41.00 per cent. The site area is 2.23 acres. Site coverage is 45.11 per cent.

Issues / Appeal Objectives

- (3) The property is currently being assessed using the sales comparison approach. The assessment calculates to \$94.12 per s.f. of building. The Complainant does not dispute the valuation method. However, the Complainant maintains that the assessment amount is inequitable with similar properties.

Complainant's Requested Value: \$3,770,000

Evidence / Argument

- (6) In support of the argument, the Complainant submitted five equity comparables in the SE quadrant of the City. Building sizes ranged from 27,232 to 45,876s.f. Site areas range from 1.13 to 2.00 acres. All of the comparable buildings is older than the subject. The degree of interior finishing ranges from 0 to 20 per cent, compared to 41 per cent for the subject. The median assessment is \$86 per s.f.

- (7) The Respondent presented five sales comparables, of which four were withdrawn at the hearing. The remaining comparable reflected a time adjusted selling price of \$108.33. That comparable is slightly larger, and slightly older than the subject.

- (8) The Respondent also presented four equity comparables. These reflected assessments ranging from \$95.83 to \$100.78 per s.f. With some exceptions, all were similar to the subject in the major areas of comparison. All of the comparables had a higher interior finish percentage than the subject.

Board's Decision

- (8) The Respondent's assessment comparables are considered more similar to the subject

than those of the Complainant. The onus is on the Complainant to show that an error exists in the existing assessment. The Complainant failed to do that to the satisfaction of the Board.

(9) The assessment is confirmed at 4,120,000.00.

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



Jerry Zezulka
Presiding Officer

APPENDIX "A"

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

NO.	ITEM
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1. C1 General Rebuttal Submission of the Complainant
2. C2 Follow Up Rebuttal Submission of the Complainant
3. C3 Evidence Submission of the Complainant
4. C4 Specific Rebuttal Submission of the Complainant
5. R1 Evidence 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.*

For MGB Administrative Use Only

Decision No1244/2012 - P			Roll No. 100010552	
<u>Subject</u>	<u>Type</u>	<u>Issue</u>	<u>Detail</u>	<u>Issue</u>
CARB	Industrial	Equity	Comparables	N/A.