

**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:

***Dynacorp Group Limited
(as represented by Assessment Advisory Group Inc.), COMPLAINANT***

and

The City Of Calgary, RESPONDENT

before:

***J. Acker, PRESIDING OFFICER
Y. Nesry, MEMBER
D. Cochrane, 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:	140145806
LOCATION ADDRESS:	1215 Lake Sylvan Drive SE
HEARING NUMBER:	67168
ASSESSMENT:	\$ 2,390,000

This complaint was heard on 3rd day of August 2012 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 6.

Appeared on behalf of the Complainant:

- T. Youn, *Assessment Advisory Group Inc.*
- D. Bowman, *Assessment Advisory Group Inc.*

Appeared on behalf of the Respondent:

- B. Tang, City of Calgary

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

1. No procedural or jurisdictional matters were raised by either of the parties.

Property Description:

2. The subject is a commercial, retail use property of 17,889 sq. ft. of leasable space constructed on a parcel size of 68,784 sq. ft. which also has 80+ surface parking stalls. This single storey multi-tenant neighbourhood mall was constructed in 1974 and is zoned C-N2-Commercial.

Issues:

3. The rental rate applied to the office portion of the property for an income approach to value is incorrect at \$12/sq. ft.

Complainant's Requested Value: **\$ 2,240,000**

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

4. In support of the Complainant's request for a reduced assessed value of \$11/sq. ft. rental rate, he offered no lease information, sales comparables or equity comparables. He argued that the subject is 'buried' in a residential area and thus has little exposure to retail traffic.

5. The Respondent provided detail on the approach taken by the assessor in using the income approach to value using typical values for the subject property's market area. Since the parties had agreed on all factors used except for the rental rate, the typical value applied by the assessor using mass appraisal was \$12/sq. ft. for the retail space. In support of this approach to value, the Respondent provided ten lease comparables and the subject's own ARFI (Assessment Request for Information) indicating that the subject is achieving rates of \$10 (dated leases) to \$17.08/sq. ft. (recent lease).

6. The Board considered the evidence and argument advanced by the parties and was not persuaded that the Complainant had established any support for his requested rental rate. The Board is satisfied that the typical rental rate applied to the subject is property is correct, fair and equitable.

Board's Decision:

The complaint is dismissed and the assessment is confirmed at \$2,390,000.

DATED AT THE CITY OF CALGARY THIS 9 DAY OF August, 2012.


J. Acker
Presiding Officer

FOR ADMINISTRATIVE USE

Subject	Property Type	Property Sub-Type	Issue	Sub-Issue
CARB	Commercial	Retail-Neighbourhood Mall	Income Approach	Rental Rate

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

NO.	ITEM
1. C1	Complainant Disclosure
2. R1	Respondent Disclosure

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.*