

**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:

***Petwin Fairview Corp. (as represented by Linnel Taylor Assessment Strategies),
COMPLAINANT***

and

The City Of Calgary, RESPONDENT

before:

***T. Hudson, 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 2011 Assessment Roll as follows:

ROLL NUMBER: 200387538

LOCATION ADDRESS: 7705 Flint RD SE

HEARING NUMBER: 61497

ASSESSMENT: \$5,110,000

This complaint was heard on 20th day of July, 2011 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:

- *J. Mayer*

Appeared on behalf of the Respondent:

- *G. Bell*

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

There were no procedural or jurisdictional matters raised by the parties.

Property Description:

The subject property is a 3.52 acre industrial parcel located in the Central industrial area. The parcel was improved in 1978 with a warehouse including 47,578 square feet of assessable area, and 16% office finish. Site coverage is 31.02%. The subject is currently assessed at \$5,110,000 or \$107 per square foot (psf).

Issues:

The Complainant identified the assessment amount as the central issue. The current assessment exceeds market value and is not equitable with the assessments of similar properties. The Complainant introduced both an income, and a direct sales comparison approach to value assessment estimate for the subject property. The Respondent used only the direct sales comparison approach.

Complainant's Requested Value: \$4,300,000, or \$90.37 psf.

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

With the consent of the parties, the Board finds that the assessment should be reduced in order to reflect assessment equity with similar and directly competing properties.

The subject property is one of three contiguous office/warehouse properties located on the east side of Flint Road SE, under the same ownership, but with separate roll numbers. The Complainant advised that based on equity alone the subject assessment should be reduced to something in the range of \$90-98 psf., in line with the assessments of the other two properties.

The sale of a property very similar to the subject and located at 4027 11 ST SE, was common to the submissions of both of the parties. The time adjusted sale price of the property is \$97psf which also supports a reduction in the assessment of the subject property.

Board's Decision: The assessment is reduced to \$4,600,000, or \$97 psf.

DATED AT THE CITY OF CALGARY THIS 18th DAY OF August 2011.



T. B. Hudson
Presiding Officer

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.*