

**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:

***Keynote Development Corporation
(as represented by Altus Group Limited), COMPLAINANT***

and

The City of Calgary, RESPONDENT

before:

***J. Dawson, PRESIDING OFFICER
A. Blake, MEMBER***

This is a complaint to the Calgary Composite Assessment Review Board [*CARB*] in respect of a property assessment prepared by the Assessor of The City of Calgary and entered in the 2010 Assessment Roll as follows:

ROLL NUMBER:	201499597
LOCATION ADDRESS:	1101 1 Street SE
LEGAL DESCRIPTION:	Plan 0914475; Block 80; Lot 47
HEARING NUMBER:	56064
ASSESSMENT:	\$ 128,330,000

- [1] This complaint was heard on the 3rd day of December, 2012 at the office of the Assessment Review Board [ARB] located at Floor Number 4, 1212 31 Avenue NE, Calgary, Alberta, Boardroom 1.
- [2] Presentation on behalf of the Complainant:
- K. Drozdowski Solicitor, representing Altus Group Limited
- [3] Presentation on behalf of the Respondent:
- N. W. Irving Solicitor, City of Calgary

SECTION A: Preliminary, Procedural or Jurisdictional Issues:

Preliminary Issue 1 - New Hearing

- [4] A Consent Order was entered into the Court of Queen's Bench [QB] October 23, 2012 quashing previous ARB decision 1085/2010-P and referring the matter back to the ARB for a new hearing.

Preliminary Issue 2 - Abridgement of Time:

- [5] The Complainant and Respondent have jointly submitted a recommended value and request the Board accept this new value without a formal hearing and presentation. As per Matters Relating to Assessment Complaints [MRAC] regulation, section 10(1):

Abridgment or expansion of time

10(1) *A composite assessment review board may at any time, with the consent of all parties, abridge the time specified in section 7(d).*

- [6] Whereas the Complainant and Respondent have jointly requested an informal hearing, the Board has accepted this request as consent to the abridgement of notices required within MRAC and scheduled a hearing for December 3, 2012 at 9:00 AM.
- [7] No additional preliminary, procedural, or jurisdictional matters were identified.

SECTION B: Issues of Merit

Matters and Issues:

- [8] The single matter is to be dealt with by the Board:
- Matter #3 - an assessment amount*

Complainant's Requested Value:

- \$84,264,000

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

Matter #3 - an assessment amount

Complainant's position

- [9] The Complainant presented that the correct assessment for the subject is \$84,264,000.

Respondent's position

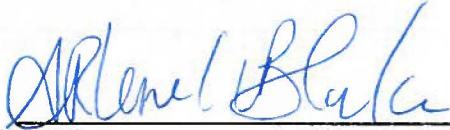
- [10] The Respondent presented that the correct assessment for the subject is \$84,264,000.

Board's Decision:

- [11] The Board accepts the parties' recommended assessment of \$84,264,000.

DATED AT THE CITY OF CALGARY THIS 13th DAY OF December 2012.


J. Dawson
Presiding Officer


A. Blake
Member

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

NO.	ITEM
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– None –

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.*

Municipal Government Board use only: Decision Identifier Codes				
Appeal Type	Property Type	Property Sub-Type	Issue	Sub-Issue
CARB	Retail	Power Centre	Income Approach	Equity