

**CALGARY  
COMPOSITE 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:**

***691363 Alberta Ltd., as represented by Colliers International, COMPLAINANT***

**And**

***The City Of Calgary, RESPONDENT***

**Before:**

***S. Barry, PRESIDING OFFICER***

***J. Mathias, MEMBER***

***J. Pratt, MEMBER***

This is a complaint to the Composite Assessment Review Board (CARB) in respect of a property assessment prepared by the Assessor of The City of Calgary and entered in the 2011 Assessment Roll as follows:

<b>ROLL NUMBER:</b>	<b>064027154</b>
<b>LOCATION ADDRESS:</b>	<b>4231 Bow Tr S.W. Calgary, AB</b>
<b>HEARING NUMBER:</b>	<b>64573</b>
<b>ASSESSMENT:</b>	<b>\$824,500</b>

This complaint was heard on 26th day of October, 2011 at the office of the Assessment Review Board located at Floor Number 3, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 9.

Appeared on behalf of the Complainant:

- *M. Uhryn, Colliers International*

Appeared on behalf of the Respondent:

- *H. Yau, City of Calgary*

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

There were no procedural or jurisdictional matters raised at the hearing. However, the parties did advise that, with the exception of some site specific details, the issues before the Board are the same as in a previous hearing and requested that evidence, argument and questions be brought forward from that Complaint. The referenced Complaint is Roll No. 079011409; file 64577. The decision and details on that Complaint are found in CARB 2659/2011-P.

**Property Description:**

The property under complaint is a 1.5 story, 6 unit, walk-up apartment building constructed in 1969, containing 5 1-bedroom and 1 2-bedroom suites. It is located in the Rosscarrock Community in Market Area 4. It is assessed on the Income Approach to value using monthly rental rates of \$800 for the 1-bedroom units and \$850 for the 2-bedroom per unit, a vacancy allowance of 5.5 per cent and a Gross Income Multiplier (GIM) of 15.

**Issues:**

The Complainant does not dispute the rents or vacancy rate.

It is the Complainant's contention that the market value of the property is best achieved using a GIM of 11.3

**Complainant's Requested Value:** The requested assessment on the Complaint Form was \$600,000. The request was revised in the Complainant's Disclosure document to \$620,000.

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

The Complainant provided the same charts of sales and supporting documentation as in the previous Complaint noted above and the Board had the same difficulty with the evidence, or lack thereof, as it had previously as well as the lack of supporting analysis. The Board was not able to determine the relevance of the comparables to the subject property. The subject property has only 6 suites and all the other south-west sales are at least double the size.

The Respondent was able to demonstrate that the Complainant's comparables are located in a much different area from the subject and reflect much different market characteristics and rents. These were expanded and the characteristics distinguished on p.40 of the Respondent's

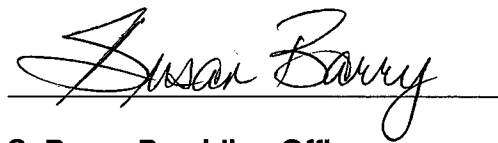
disclosure document.

Of most relevance to the Board was the failure of the Complainant to document how the requested GIM rate was achieved. The Complainant did not provide income detail or relevant analysis and, in the absence of those, the Board could find no justification for revising the assessment.

**Board's Decision:**

The 2011 assessment is confirmed at \$824,500.

DATED AT THE CITY OF CALGARY THIS 7 DAY OF November 2011.



**S. Barry, Presiding Officer**

**APPENDIX "A"**

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

<b>NO.</b>	<b>ITEM</b>
1. C1	Complainant's Disclosure
2. R1	Respondent's 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.*