

**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:

***960100 Alberta Limited, Krishna Holdings Inc., (as represented by Altus Group),
COMPLAINANT***

and

The City Of Calgary, RESPONDENT

before:

***T. Hudson, PRESIDING OFFICER
J. Kerrison, 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: 062140702

LOCATION ADDRESS: 6490 Old Banff Coach RD SW

HEARING NUMBER: 64060

ASSESSMENT: \$3,810,000

This complaint was heard on the 25th day of October, 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:

- B. Neeson

Appeared on behalf of the Respondent:

- M. Byrne

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

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

The Parties were advised by the Presiding Officer that the complaint hearing would proceed under Part 11 Section 458(2) of the Municipal Government Act (MGA) which states, "The provincial member and one other member of a composite assessment review referred to in section 453(1)(c)(i) constitutes a quorum of the composite assessment review board".

Property Description:

The subject property is 2.06 acre parcel of commercial land located in the Patterson Heights community at 6490 Old Banff Coach RD SW. The parcel was improved in 2004 with a retail strip shopping centre known as Coach Hill Centre. The centre has 9,000 square feet (sf.) of retail area and 4,755 sf. of office area. The current assessment is \$3,810,000 based on capitalized income.

Issues:

Should the Assessed Rental Rate of \$21 Per Square Foot(psf.) of Office Area be Reduced to \$15 psf.?

Complainant's Requested Value: \$3,460,000(rounded).

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

Should the Assessed Rental Rate of \$21 Per Square Foot(psf.) of Office Area be Reduced to \$15 psf.?

The Board finds the assessed rate of \$21 psf. is fair and equitable for the office area in the subject property.

The Complainant submitted several assessment equity office area comparables, with assessed

rental rates ranging from a high of \$20 psf., to a low of \$15 psf. The Respondent noted that none of the office areas were located in Strip centres properties, and therefore not directly similar to the subject. There was no evidence on market rent rates for office areas submitted by the Complainant.

The Respondent submitted the Assessment Request for Information (ARFI) report for the subject showing current office rental rates of \$22 and \$23 psf., based on ten (10) year leases commencing in 2004.

Board's Decision: The assessment is confirmed at \$3,810,000.

DATED AT THE CITY OF CALGARY THIS 25 DAY OF November 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.*

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<i>Decision No.</i>		<i>Roll No.</i>		
<u>Subject</u>	<u>Type</u>	<u>Sub-Type</u>	<u>Issue</u>	<u>Sub-Issue</u>
CARB	Retail	Strip Centre	Income approach	Office rent rate