

**COMPOSITE
ASSESSMENT REVIEW BOARD
DECISION WITH REASONS**

In the matter of the complaint against the property assessment as provided by the *Municipal Government Act*, (MGA) Chapter M-26, Section 460, Revised Statutes of Alberta 2000 (the Act).

between:

***Strathcona Square Property Corporation (as represented by Altus Group Ltd.),
COMPLAINANT***

and

The City Of Calgary, RESPONDENT

before:

***C. J. Griffin, PRESIDING OFFICER
S. Rourke, MEMBER
E. Reuther, 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:

ROLL NUMBER: 063143804

LOCATION ADDRESS: 555 Strathcona Boulevard SW

HEARING NUMBER: 64061

ASSESSMENT: \$20,710,000.

This complaint was heard on 15th day of November, 2011 at the office of the Assessment Review Board located at 3rd Floor, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 3 .

Appeared on behalf of the Complainant:

- A. Izard

Appeared on behalf of the Respondent:

- R. Ford

Preliminary and/or Procedural Matters

Both the Complainant and the Respondent requested that all of the evidence and argument from the preceding Hearing #64289 (CARB 2761-2011-P) be carried forward and applied to this Hearing as the issue(s) are exactly the same and the evidence and argument, from both parties, is exactly the same.

The CARB agrees with this request and thanks the parties for their suggestion.

Property Description:

The subject property is, according to the Assessment Summary Report (Exhibit C-1 pg. 10) an "A-" Class neighbourhood shopping centre (also incorporates a 31,829 Sq. Ft. "B" Class component), having an assessed area of 74,489 Sq. Ft. The property was originally constructed in 1991 although there is a 9,061 Sq. Ft. portion which was constructed in 1994. The underlying site is reportedly 7.66 acres in size. The assessed value of the subject has been derived through application of the Income Approach to Value with the following inputs:

<u>Space Category</u>	<u>Area (Sq. Ft.)</u>	<u>Assessed Rental Rate</u>
Bank	4,457	\$29/Sq. Ft.
CRU 0 – 1,000 Sq. Ft.	1,477	\$32/Sq. Ft.
CRU 1,001 – 2,500 Sq. ft.	24,045	\$28/Sq. Ft.
CRU 2,501 – 6,000 Sq. Ft.	10,021	\$24/Sq. Ft.
Non-retail Mezzanine	1,005	\$ 1/Sq. Ft.
Office	8,484	\$20/Sq. Ft.
Supermarket	25,000	\$13/Sq. Ft.
Vacancy Rate CRU & Pad		4%
Vacancy Rate Mezz. & Supermarket		1%
Non-Recoverables Allowance		1%
Operating Costs		\$ 7/Sq. Ft.
Capitalization Rate		7.25%

Issues:

There are a number of interrelated issues outlined on the Assessment Review Board Complaint form; however, at the Hearing the Complainant reduced the issues to be considered by the CARB to:

1. The capitalization rate applied by the Assessor to derive the assessed value of the subject property is too high and would be accurately reflected at 7.75%.

Complainant's Requested Value: \$19,370,000.

Party Positions:**Complainant's Position**

The Complainant maintains that their position for this complaint is the same as it was in the preceding Hearing, accordingly the reader is referred to CARB Decision #2761-2011-P wherein the Complainant's Position is clearly outlined.

Respondent's Position

The Respondent maintains that their position for this Complaint is the same as it was in the preceding Hearing, accordingly the reader is referred to CARB Decision #2761-2011-P wherein the Respondent's Position is clearly outlined.

Complainant's Rebuttal:

The Complainant maintains that their Rebuttal for this Hearing is the same as that presented in the preceding Hearing, accordingly the reader is referred to CARB Decision #2761-2011-P wherein the Complaint's Rebuttal evidence and argument is clearly outlined.

Board's Decision:

The complaint is denied and the assessment is **confirmed** at **\$20,710,000**.

Decision Reasons:

In that the evidence and argument of both parties is the same for this Hearing as it was in the preceding Hearing, the decision of the CARB is made for the same reasons and are identified in CARB Decision #2761-2011-P.

DATED AT THE CITY OF CALGARY THIS 29th DAY OF November 2011.


C.J. Griffin
Presiding Officer

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

NO.	ITEM
1. C-1	Complainant's Brief
2. C-2	Complainant's Rebuttal Brief
3. C-3	Complainant's Rebuttal Part 2
4. R-1	Respondent's Brief (complete)

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.*