

**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:

***1081620 Alberta Ltd., (as represented by Assessment Advisory Group Ltd.),
COMPLAINANT***

and

The City Of Calgary, RESPONDENT

before:

***C. McEwen, PRESIDING OFFICER
P. Grace, MEMBER
Y. Nesry, 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: 050220003

LOCATION ADDRESS: 3800 RUNDLEHORN DR NE

HEARING NUMBER: 62705

ASSESSMENT: \$30,680,000

This complaint was heard on the 31st day of October, 2011 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, AB, Boardroom 5.

Appeared on behalf of the Complainant:

- T. Howell

Appeared on behalf of the Respondent:

- S. Poon

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

There were no jurisdictional or procedural matters raised by either party.

Property Description:

The subject property is a townhouse development located in the Rundle district of NE Calgary. The 9.2 acre parcel is improved with 197 units (109 2-bedroom, 88 3-bedroom) constructed in 1978. The subject is assessed as a townhouse (MR0401) using the Income Approach to Value at \$155,767 per unit.

Issues:

Is the subject property assessed higher than market value and is the assessment, therefore, inequitable to comparable properties? Specifically, should the Gross Income Multiplier (GIM) used to assess the subject property be reduced from 12.00 to 11.00?

Complainant's Requested Value:

\$28,100,000

Board's Findings and Reasons in Respect of Each Matter or Issue:

The Board finds the GIM used to assess the subject property to be correct for the following reasons:

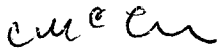
- The Complainant provides three sales comparables to support a reduction in the subject GIM. The Board excludes two of the comparables as the property located at 5300 RUNDLEHORN DR NE is assessed as a lowrise apartment building (MR0201) and the property located at 4455 GREENVIEW DR NE was in the process of being converted into condominiums at the time of the sale. Both comparables are considered too dissimilar to the subject in their classification and characteristics to be used for comparison purposes.
- The Board notes that the Complainant's remaining comparable located at 1800 14 AVE NE shows a calculated GIM of 11.99, supportive of the assessed GIM of 12.00.
- The Board does not accept the time adjustment methodology used by the Complainant to recalculate the GIMs of the comparable properties. The rental rate information provided by the Complainant (C1, page 9) is specific to the October 08 – October 09

- period and cannot be used to time adjust the period between October 09 and July 10.
- The Board accepts the Respondent's comparables (R1, page 69) as fully supporting the subject rent rates, vacancy rate and GIM as assessed.

Board's Decision:

The subject assessment is confirmed at \$30,680,000 due to insufficient evidence to support the requested assessment amount.

DATED AT THE CITY OF CALGARY THIS 2 DAY OF December 2011.



C. McEwen
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.*

FOR ADMINISTRATIVE USE

Subject	Property Type	Property Sub-Type	Issue	Sub-Issue
CARB	Residential	Townhouse	Income Approach	Gross Income Multiplier