



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:

***SUN LIFE ASSURANCE COMPANY OF CANADA (as represented by MNP LLP),
COMPLAINANT***

and

The City Of Calgary, RESPONDENT

before:

***R. Glenn, PRESIDING OFFICER
R. Kodak, BOARD MEMBER
J. Joseph, BOARD 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 2013 Assessment Roll as follows:

ROLL NUMBER: 099063109
LOCATION ADDRESS: 2419 52 Ave SE
FILE NUMBER: 71128
ASSESSMENT: \$14,890,000

This complaint was heard on Thursday, the 15th day of August, 2013 at the offices of the Assessment Review Board located on Floor Number 4, at 1212 – 31 Avenue NE, in Calgary, Alberta, in Boardroom 10.

Appeared on behalf of the Complainant:

- J. Langelaar, Agent

Appeared on behalf of the Respondent:

- T. Nguyen, Assessor
- E. Wong, Assessor

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

[1] When asked, neither party raised any issues with regard to either Jurisdiction or, Procedure. However, the parties jointly requested that the time adjustment argument from file #CARB 71112-2013-P, heard August 14th, 2013 in this series, be carried forward and applied to this file. The Board accepted this request

Property Description:

[2] The subject consists of two large multi-bay industrial warehouses, hereinafter referred to as Rangewinds building "A" and Rangewinds building "B", situated on a 7.39 acre site with 37.67% site coverage, built in 2001, with an assessable area of: 46,420SF, and 79,462SF respectively. These class A- buildings are located in the industrial district of Valleyfield, and they have on-site parking. The smaller building has an 11% interior finish, and the larger has a 34% interior finish.

Issues:

[3] The central issue is whether the subject assessment for Rangewinds building B is correct. There is no issue which respect to the assessment of Rangewinds building A.

Complainant's Requested Value:

[4] \$13,450,000

Board's Decision:

[5] The subject assessment is confirmed at \$14,890,000.

Complainant's Position:

[6] The Complainant argued there were not a lot of comparables, but presented three comparable sales, all located on smaller parcels, all with higher site coverage, and, all from the south east quadrant of the City. Two of the comparables were single buildings, one was a multi-building property. The comparables all sold for considerably less than their assessed value per square foot. The two single buildings were class "B", whereas the multi-building property was a class "A2"

[7] On rebuttal, the Complainant argued that the Respondent should have employed a multi-building reduction in this assessment, which they say the Respondent did not do. The Complainants quoted **CARB 1541-2011-P** as authority for the proposition that a multi-building reduction should have been applied. They said the multi-building reduction should have been in the range of negative 8.5% to negative 9.5%. The Complainant stated that because the Respondent did not do so, they have applied their own multi-building reduction in the amount of negative 8.86%.

[8] The Respondent assessed the subject buildings at an average value of \$118.46/SF for both buildings on the property, or, \$116.96/SF for only the building in issue. The Complainant argued that the assessment should be in the range of \$103/SF, based on their comparables.

[9] The Respondent stated that the Complainant should have been comparing single buildings to only single buildings, and multi-buildings to only multi-buildings, not comparing a multi-building property to both. The Complainant said that the subject was within range of all of their comparables.

Respondent's Position:

[10] The Respondent presented a range of ten sales comparables, including multi-building properties that were similar, and properties that were larger and smaller than the subject. The only area where there was a real 'lack' of similarity was in the year of construction, with some comparables 20 years older and some 7 or 8 years newer. They also presented a few single building sales comparables. The time adjusted average sales prices per square foot for both single and multi-building sales were universally higher than the Complainant's comparables.

[11] The Respondent argued that they did apply the multi-building reduction to this assessment, (as noted on their 2013 Industrial Assessment Explanation Supplement) but did not disclose the percentage nor the amount of the reduction involved. They said that they are not required to do so. The Respondent said they have done their assessment on an individual basis, taking into account all of the appropriate considerations for the subject property.

Board's Decision in Detail:

[12] The Board found the evidence of the Respondent to be persuasive. Their comparables which were set out at pages 37 and 39 of their brief were closer to the particulars of the subject property, making them, in the Board's view, better comparables, and simply more convincing to the Board. Their average sales figures for both multi-building properties and single buildings supported the average price of \$118.46/SF.

[13] The evidence of the Complainant's three comparables was not able to convince the Board of an error in the assessment.

[13] All told, the argument of the Complainant failed to convince the Board that the subject assessment was in need of correction, and accordingly, the assessment in the amount of \$14,890,000 is herewith confirmed.

DATED AT THE CITY OF CALGARY THIS 20th DAY OF SEPTEMBER, 2013.



R. Glenn
Presiding Officer

APPENDIX "A"

DOCUMENTS PRESENTED AT THE HEARING AND CONSIDERED BY THE BOARD:

NO.	ITEM8
1. C1	Complainant Disclosure
2. C2	Complainant Rebuttal Disclosure
3. 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.*