

## **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:

***508072 Alberta Ltd., (as represented by Assessment Advisory Group Inc.),***  
**COMPLAINANT**

and

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

before:

***R. Fegan, PRESIDING OFFICER***  
***K. Farn, BOARD MEMBER***  
***D. Pollard, 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:

<b>ROLL NUMBER:</b>	<b>200355600</b>
<b>LOCATION ADDRESS:</b>	<b>6204 29 ST SE</b>
<b>FILE NUMBER:</b>	<b>71924</b>
<b>ASSESSMENT:</b>	<b>\$7,300,000</b>

This complaint was heard on the 22<sup>nd</sup> day of August, 2013 at the office of the Assessment Review Board located at Floor Number 3, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 11.

Appeared on behalf of the Complainant:

- D. Bowman, (Assessment Advisory Group Inc.)

Appeared on behalf of the Respondent:

- T. Nguyen, (City of Calgary)

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

- [1] No procedural or Jurisdictional matters were raised.

**Property Description:**

[2] The subject property is a multi-tenant industrial warehouse of 77,761 square feet that was constructed in 1976. It is situated on 4.02 acres of land and has a land use designation of Industrial General (I-G). The assessment is \$93.96 per square foot.

**Issues:**

[3] The subject property assessment exceeds market value.

[4] The subject property assessment is not equitable.

**Requested Value: \$6,870,000.**

**Board's Decision: The complaint is allowed and the assessment is revised to \$6,870,000.**

**Position of the Parties**

**Complainant's Position:**

[5] The Complainant argued that the assessed value of the subject property had increased by 26% between 2012 and 2013 and that such an increase was not supported by market activity.

[6] The Complainant provided an analysis of two sales of comparable properties which indicated an average time adjusted sale price per square foot of \$88.00. The Complainant had used the same time adjustment factors that had been used by the Respondent.

[7] The Complainant calculated an assessment to sale price ratio for the two sales indicating ratios between the time adjusted prices and the 2013 assessed values of 1.15 and 1.40.

**Respondent's Position:**

[8] The Respondent provided an analysis of five sales two of which had been used by the Complainant. The three remaining sales were all located in a geographic district referred to as the Central Region. The median sale price of the five sales was \$94.64.


**Board's Reasons for Decision:**

[10] The Board found that the two sales provided by the Complainant were geographically closer to the subject than those used by the Respondent. The Board found that any differences between the Complainant's comparable sales and the subject property, such as building size, building age and site coverage ratio, would have a positive effect on the sale price of these two properties and the subject property's value would if anything be less than the sale price of these comparable sales.

[12] The Board noted that while the median sale price taken from the Respondent's analysis was \$94.64 the average sale price was \$88.44.

[11] In summary the Board found that the comparable sales used by the Complainant had more similarity to the subject property than those used by the Respondent.

DATED AT THE CITY OF CALGARY THIS 13<sup>th</sup> DAY OF September 2013.



R. Fegan

**Presiding Officer**

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

<b>NO.</b>	<b>ITEM</b>
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.*

**CARB Identifier Codes**

<b>Decision No.</b>		<b>Roll No.</b>		
<b><u>Complaint Type</u></b>	<b><u>Property Type</u></b>	<b><u>Property Sub-Type</u></b>	<b><u>Issue</u></b>	<b><u>Sub-Issue</u></b>
CARB	Industrial	Warehouse	Market Value	Equity

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