



## **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:**

***Dundee Industrial Twofer (GP) Inc. (as represented by Altus Group), COMPLAINANT***

**and**

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

**before:**

***T. Helgeson, PRESIDING OFFICER***

***R. Cochrane, BOARD MEMBER***

***R. Roy, 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: 032027302**

**LOCATION ADDRESS: 4001 19 Street NE**

**FILE NUMBER: 72771**

**ASSESSMENT: \$5,560,000**

This complaint was heard on the 3<sup>rd</sup> day of September, 2013 at the office of the Assessment Review Board located at Floor Number 3, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 8.

Appeared on behalf of the Complainant:

- *M. Robinson*

Appeared on behalf of the Respondent:

- *K. Cody*

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

- [1] No procedural or jurisdictional issues were brought before the Board.

**Property Description:**

- [2] The subject property is located in the North Airways industrial park. The area of the land parcel is 2.47 acres. There are two warehouses on site, both constructed in 1978, and both are similar in appearance. Site coverage is 32%. The assessable area of the smaller building is 19,568 square feet ("sq. ft."), and it has been assessed at \$135.81 per sq. ft. The larger building has an assessable area of 22,336 sq. ft., and it is assessed at \$130.22 per sq. ft.

**Issue:**

- [3] Is there evidence to support a reduction in the assessment?

**Complainant's Requested Value:** \$3,770,000

**Board's Decision:** The assessment is confirmed.

**Positions of the Parties**

**Complainant's Position:**

- [4] The buildings on the subject property are similar. We have presented three sales comparables. The property at 2115 27 Avenue NE is most comparable to the subject property. It is very close to the subject in finish, construction and site coverage. The time adjusted sale price works out to \$90 per square foot ("sq. ft.").

- [5] It is difficult to draw a straight line between the Respondent's comparables to the subject property. Two buildings should not imply greater taxes. The subject property is assessed at \$120 per sq. ft., but sold at \$101 per sq. ft. Our requested assessment is \$90 per sq. ft., which

results in an assessment of \$3,770,000. We have abandoned our initial requested assessment at \$87 per sq. ft.

[6] We have presented nine equity comparables, all multi-tenant warehouses as is the subject property.

**Respondent's Position:**

[7] The Complainant has not brought forward a single multiple building comparable. More than one building on a site means there are variances in the buildings. Sales of single-tenant buildings show time-adjusted sale prices from \$131 to \$174 per sq. ft. The best comparable, a multi-building sale at 1826 25 Avenue NE, shows a time adjusted sale price at \$139.94 per sq. ft. The subject property is not hard done by.

[8] Our multiple building equity chart shows that the assessment of the subject property is by no means inequitable. The two best comparables to the subject property are 3900 19 Street NE and 3650 19 Street NE, and both are assessed above \$150 per sq. ft.

[9] After review of numerous decisions and analyses, it became clear that application of a coefficient was needed to arrive at market value. The coefficient applies a negative value to all parcels that contain more than one buildings, outbuildings not included. Our comparables are better, thus we request that the assessment be confirmed.

**Board's Reasons for Decision:**

[10] Based on one sale, that of 2115 27 Avenue NE, the Complainant asks for an assessment at \$90 per sq. ft. The Complainant's own equity chart at page 18 of C-1 shows that \$90 is too low. The weight of evidence is on side with the Respondent, and the evidence is persuasive.

[11] The Board confirms the assessment at \$5,560,000. It is so ordered.

DATED AT THE CITY OF CALGARY THIS 4<sup>th</sup> DAY OF December 2013.

  
  
**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. C2	Complainant Rebuttal
3. R1	Respondent Disclosure

For Administrative Use

<b>Subject</b>	<b>Property Type</b>	<b>Property Sub-type</b>	<b>Issue</b>	<b>Sub-Issue</b>
CARB	Warehouse	Multi-Building Complex	Insufficient Evidence	none

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*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.*