



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:

**LEOTEL HOLDINGS LTD.,
LISSETTE HOLDINGS LTD.,
C/O HARMIN HOLDINGS LTD.,
(as represented by Altus Group),
COMPLAINANT**

and

**The City Of Calgary,
RESPONDENT**

before:

**R. Glenn, PRESIDING OFFICER
H. Ang, BOARD MEMBER
J. Massey, 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 2014 Assessment Roll as follows:

ROLL NUMBER:	090066804
LOCATION ADDRESS:	4605-1st St SE
FILE NUMBER:	73958
ASSESSMENT:	\$2,040,000

This complaint was heard on Tuesday, the 24th day of June, 2014 at the offices of the Assessment Review Board located at Floor Number 4, at 1212 – 31 Avenue NE, Calgary, Alberta, in Boardroom 4.

Appeared on behalf of the Complainant:

- D. Mewha, Agent, Altus Group

Appeared on behalf of the Respondent:

- Y. Wang, Assessor, The City of Calgary
- I. McDermott, Assessor, The City of Calgary

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

[1] There were no questions of Jurisdiction or Procedure raised prior to, or during the hearing. There were no objections to the composition of the Board.

Property Description:

[2] The subject property is a 1.04 acre parcel of land with a one building improvement, Year of Construction(YOC):1956, "D" quality building, comprising 7,750sf (square feet), with the building having a 8% finish, and a total site coverage of 17.10%, currently used as an industrial warehouse and office, located between the CPR railroad tracks and 1st St SE in Manchester.

Issue:

[3] Whether or not the subject property has been properly assessed, using the Direct Sales Comparison Approach.

Complainant's Requested Value: \$1,790,000

Board's Decision:

[4] The Board confirmed the assessment of the subject at: \$2,040,000.

Position of the Parties

Complainant's Position:

[5] The Complainant presented a chart of three sales comparables, but argued that they were in a "bad location". The concept of a bad location was not explained, nor further elaborated on in argument. They also presented a chart of five equity comparables, and argued that all six of their sales comparables and their equity comparables support their argument position on a reduction.

[6] The Complainant's sales comparables were, for the most part, close to the characteristics of the subject, although 2 of the sales comparables had a finish amount that was much larger than the subject.

[7] Two out of the three Time Adjusted Sale Prices of the Complainant's comparables did support the requested reduction in the assessment. The chart of equitable comparables seemed to bracket the Complainant's comparables characteristics with a range of values.

Respondent's Position:

[8] The Respondent also provided a chart of nine sales comparables, three of which were also provided by the Complainant. The median sale price of the Respondent's comparables was \$251.75/sf. All of the Respondent's comparables except one had a smaller parcel size. All of the Respondent's comparables, except two, had a smaller assessable building size.

[9] Four of the Respondent's comparables showed a Time Adjusted Sale Price that was much higher than the subject price per square foot.

[10] As part of their brief, the Respondent provided a chart which compared the equity comparables of both the Complainant and the Respondent, and which provided a median for the Complainant's comparables of \$233/sf and for the Respondent's comparables of \$266/sf, and an overall joint median figure for all the comparables of \$253/sf.

[11] All of both party's equity comparables were from the Central Region. On cross examination, the Respondent admitted that they do make adjustments for location.

Board's Reasons for Decision:

[12] The Board carefully considered the argument and evidence placed before them by both parties at this hearing. The Board found that the comparables of the Respondent were superior, both in terms of characteristics generally and especially with respect to location.

[13] The Respondent's comparables not only had more breadth, but they also more firmly supported the Respondent's position. The level of evidence of the Complainant did not meet the required onus in order to convince the Board that a reduction was indicated.

[14] Accordingly, and based on all of the foregoing, the subject assessment is hereby confirmed at \$2,040,000.

DATED AT THE CITY OF CALGARY THIS 28 DAY OF July, 2014.



R. Glenn
Presiding Officer

APPENDIX "A"

**DOCUMENTS PRESENTED AT THE HEARING
AND CONSIDERED BY THE BOARD:**

NO.	ITEM
1. C1	Complainant 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.*

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Appeal Type	Property Type	Property Sub-type	Issue	Sub-issue
CARB	Warehouses	Single building	Market Value	Sales Approach