



## 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:

**HAMPTON DEVELOPMENT LTD.,  
(as represented by Altus Group),  
COMPLAINANT**

and

**The City Of Calgary,  
RESPONDENT**

before:

**R. Glenn, PRESIDING OFFICER  
B. Bickford, BOARD MEMBER  
Y. Nesry, 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:

<b>ROLL NUMBER:</b>	<b>091035402</b>
<b>LOCATION ADDRESS:</b>	<b>4040 BLACKFOOT TR SE</b>
<b>FILE NUMBER:</b>	<b>74627</b>
<b>ASSESSMENT:</b>	<b>\$11,170,000</b>

This complaint was heard on Tuesday, the 29th day of July, 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:

- T. Luchak, Assessor, The City of Calgary

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

[1] There were no questions or issues of Jurisdiction or Procedure raised prior to, or during the hearing. There were no objections voiced to the composition of the Board as it was then constituted.

**Property Description:**

[2] The subject property is a 4.82 acre parcel of land with a two warehouse building development (class D quality), demised into 4 units, providing a total assessable area of 145,000 sf, built in 1956, with a 34.90% ( the City says a 0%) finish, and a site coverage of 45.95%, a Land Use(LUD) of I-G, located in the community of Highfield. One building is used for retail sales and self storage, the other is used as a gambling casino. The Board also noted that there seemed to be some conflicting facts (ie: size and finish) between the Property Assessment Detail Report and the Assessment Explanation Supplement

**Issue(s) as stated by the parties:**

[3] Whether or not:

- (a) the subject property has been properly assessed according to the market value;
- (b) the subject property has been equitably assessed.

**Complainant's Requested Value: \$9,425,000**

**Board's Decision:**

[4] The Board confirmed the subject assessment.

**Complainant's Position:**

[5] The Complainant provided four sales comparables with details, two of which were also relied on by the Respondent. Two of the Complainant's comparables were vacant properties at the time. Three of the comparables were single tenant.

[6] The subject had a total of 145,000 sf of assessable building area, whereas the median of the comparables was 151,148 sf, with the average being 151,419 sf. The subject was a 4.82 acre parcel, whereas the median size of the comparables was 7.33 acres. All of the comparables were at least 10 years or more newer than the subject.

[7] The median site coverage of the comparables was quite close to that of the subject, however, the subject had a 37% finish whereas the median finish of the comparables was 10% with the average being an 8% finish. The median Time Adjusted Sale Price (TASP) for the comparables was \$73/sf, with the average TASP being \$71/sf.

[8] The subject's assessment for 2014 was \$77/sf, whereas the median assessment for the comparables was \$64/sf, with an average of \$68/sf. The Respondent did not cross-examine the Complainant on their original presentation.

[9] The Complainant in their Rebuttal presentation presented two additional comparables, but they were part of a portfolio sale, and in cross-examination they admitted that the prices were not broken down to differentiate how much was paid for each building in the sale.

**Respondent's Position:**

[10] The Respondent presented a table of four sales comparables, all of which were in the South East Region. They noted that the South East Region properties sell differently than properties in other areas. They also presented a table of six sales comparables which were from the Central Region, although located in the South East Quadrant.

[11] On cross-examination, they also noted that the comparable properties located in the Central Region all sold for a premium price of approximately 40% more than similar properties in the South East Region. They went on to argue that "sales don't lie". They also commented that their comparables from both regions were provided merely "to show the economies of scale and not much else".

[12] The Respondent stated in summary that the City's Mass Appraisal Model tends to eliminate outlying properties from being considered as a proper part of the milieu.

**Reasons for the Board's Decision:**

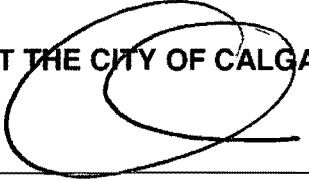
[13] The Board carefully considered all of the argument and evidence that was placed before it at the hearing. After due deliberation, the Board found that the comparables of both the Complainant and the Respondent suggested a range of values that compared favourably with the subject.

[14] In other words, the Market Value suggested by all the comparables viewed as a whole was within a reasonable range and therefore the subject assessment was found not to be in

need of modification.

[14] Accordingly, the within assessment is herewith confirmed in the amount of \$11,170,000.

DATED AT THE CITY OF CALGARY THIS 9<sup>th</sup> DAY OF September 2014



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**R. Glenn**  
**Presiding Officer**

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

NO.	ITEM
1. C1	Complainant Disclosure
2. R1	Respondent Disclosure
3. C2	Complainant Rebuttal 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 Only**

Appeal Type	Property Type	Property Sub-type	Issue	Sub-issue
CARB	Developed Land	Industrial Warehouses	Market Value	Equity