

**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(4).

between:

Assessment Advisory Group, COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

Steven C. Kashuba, PRESIDING OFFICER

Ed Reuther, MEMBER

Ron Roy, MEMBER

This is a complaint to the Calgary Assessment Review Board in respect of Property assessment prepared by the Assessor of The City of Calgary and entered in the 2010 Assessment Roll as follows:

ROLL NUMBER: 101041507

LOCATION ADDRESS: 6221 Centre Street SW

HEARING NUMBER: 58571

ASSESSMENT: \$1,640,000

This complaint was heard on 9th day of July, 2010 at the office of the Assessment Review Board located at Floor Number 3, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 9.

Appeared on behalf of the Complainant:

- *Troy Howell*

Appeared on behalf of the Respondent:

- *Jarrett Young*

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

No procedural or jurisdictional matters raised.

Property Description:

The subject property is classified as a retail warehouse located in the Community of Manchester Industrial carrying a municipal address of 4609 Manitoba Rd SE. The subject building has an area of 9,600 square feet, with a finish of 8%, a site coverage of 43.30%, and a market rate per square foot of \$171.00. Its current assessment is set at \$1,640,000.

Issues:

1. The market rate per square foot utilized by the City is in excess of the subject's market value.

Complainant's Requested Value: \$1,334,440.

Board's Decision in Respect of Each Matter or Issue:

1. The market rate utilized by the City is in excess of the subject's market value.

In support of their request for a reduced assessment value the Complainant presented four sales comparables (1-C, page 8) with sales values ranging from \$126 to \$230 per square foot with an average of \$139 per square foot while the subject is assessed at \$172 per square foot. In addition, the finished portions of the comparables ranged from 14% to 20% while the subject is completed to 8%.

In response, the Respondent advanced seven equity comparables (1-R, page 15) with assessment rates of \$167 to \$184 per square foot. The board places considerable weight upon these equity comparables in that they are taken from the same sector of the City and fully support the assessment of the subject property of \$172 per square foot. As well, the finish ratio in these equity comparables ranges from 0% to 27% as compared to the finish of the subject property which is determined to be 8%.


In addition, the Respondent presented six industrial sales comparables (1-R, page 16) wherein the sales values per square foot range from \$166 to \$222 per square foot fully supporting the assessment value of \$171 per square foot.

In reaching its decision, the board places considerable weight upon the equity and sales comparables as presented by the Respondent and finds that the industrial sales comparables presented by the Complainant are taken from less desirable areas of the City and do not reflect the characteristics of the subject property.

Board's Decision:

It is the decision of the board to confirm the assessment of the subject property for 2010 at \$1,640,000.

DATED AT THE CITY OF CALGARY THIS 22 DAY OF July 2010.


Steven C. Kashuba
Presiding Officer

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.*