

**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:**

***Suncor Energy, COMPLAINANT***

**and**

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

**before:**

***T. Robert, PRESIDING OFFICER***

***A. Blake, MEMBER***

***P. Charuk, MEMBER***

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

<b>ROLL NUMBER:</b>	<b>130144801</b>
<b>LOCATION ADDRESS:</b>	<b>9900 Fairmount Drive S.E.</b>
<b>HEARING NUMBER:</b>	<b>57195</b>
<b>ASSESSMENT (2010):</b>	<b>\$1,780,000</b>

This complaint was heard on 22<sup>nd</sup> day of July, 2010 at the office of the Assessment Review Board located at Floor Number Four, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 11.

Appeared on behalf of the Complainant:

- *D. Wegner*
- *B. Matthews*

Appeared on behalf of the Respondent:

- *E. D'Altorio*                      *City of Calgary*
- *W. Ehler*

**Preliminary Matter:**

The Complainant put forward that this issue of equity has been before previous Boards in the past, and that in each case the assessments have been reduced. The Complainant requested the Board to bring forward this issue to the Minister of Municipal Affairs under Section 476.1 of the Municipal Government Act.

**Property Description and Background:**

Issue: The issue submitted by the Complainant is one of equity. The subject property has been assessed differently than adjoining and adjacent properties, resulting in higher assessment values. The subject property has been valued on the Cost Approach to Value while other properties on Macleod Trail have been valued via the Income Approach, resulting in lower values than the subjects.

**Board's Findings in Respect of Each Matter or Issue:**

The subject property is not assessed equitably with similar properties in the same area.

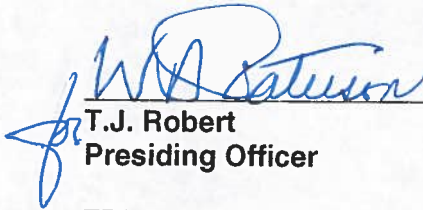
**Reasons:**

The comparable directly across the street was put forward as the best example of the issue of inequity. The comparable property at 9909 Fairmount Drive has an assessed value of \$446,500, which indicates \$27 per square foot for both land and improvements. The comparable property is similar in lot and building size to the subject, assessed at \$78.74 per square foot. The Complainant put forward an income Performa which indicates a value of \$1,016,000 or \$44.85 per square foot.

**Board Decision:**

The assessment is reduced from \$1,780,000 to the requested amount of \$1,016,000.

DATED AT THE CITY OF CALGARY THIS 4 DAY OF August 2010.



T.J. Robert  
Presiding Officer

TR/sd

*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.*