

**CALGARY
ASSESSMENT REVIEW BOARD
DECISION WITH REASONS**

In the matter of the complaint against the Property/Business assessment as provided by the *Municipal Government Act*, Chapter M-26, Section 460(4).

between:

Altus Group Ltd., COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

L. Wood, PRESIDING OFFICER

D. Pollard, MEMBER

J. Massey, 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: 112135702

LOCATION ADDRESS: 611 71 AVENUE SE

HEARING NUMBER: 55971

ASSESSMENT: \$20,540,000

This complaint was heard on 8th day of July, 2010 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 5.

Appeared on behalf of the Complainant:

- *Ms. C. Van Staden*

Appeared on behalf of the Respondent:

- *Mr. G. Bell*

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

At the commencement of the hearing, the Complainant indicated that, based on her discussions with the assessor Mr. Robert Ford in March 2010, a correction to the office finish was required which would reduce the assessment of the subject property to \$19,250,000. Mr. Ford was not present at the hearing but his colleague, Mr. George Bell, confirmed that this correction would be undertaken. The Complainant proceeded with the case on the basis that a further reduction for the subject property was warranted.

The Complainant requested that comments made by her colleague, Mr. Randall Worthington, in regards to the valuation model and in particular how multi building sites are assessed by the City of Calgary, be carried forward to this case as well. The Respondent had no objections. The Board agreed to carry forward his comments from file #57541.

Property Description:

The subject property is comprised of two multi-tenant warehouses that are joined together for a total area of 221,741 sq ft. The buildings are located on an 8.73 acre site in Fairview Industrial. Both warehouses were built in 1978. The land is zoned as I-G.

Issues:

1. The assessment is not equitable when compared to similar sized properties.
2. Sales of similar sized properties indicate the assessment is overstated at July 1, 2009.

Complainant's Requested Value: \$16,630,000

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

The Board notes that the Complainant had several statements on the appendix that was attached to the complaint form; however, the Board will only address those issues that were raised at the hearing.

The assessment is not equitable when compared to similar sized properties.

The Board finds the equity comparables presented by the Complainant provided little assistance due to the number of adjustments that were required (Exhibit C1 page 17). The Board finds the three equity comparables presented by the Respondent are much smaller buildings (55,680- 85,046 sq ft)

in comparison to the subject property (220,000 sq ft) and would require negative adjustments, thereby reducing the rate from \$95.00 psf to \$85.00 psf (Exhibit R1 page 23). The Board finds that \$85 psf is a reasonable rate for the subject property.

Sales of similar sized properties indicate the assessment is overstated at July 1, 2009.

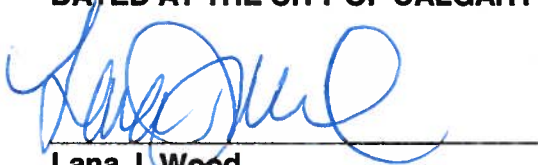
The Board finds the sales comparables as submitted by the Complainant support the \$85.00 psf rate (Exhibit C1 page 16). The Board discarded the sale of the subject property in March of 2002 as it was too far removed from the valuation date (Exhibit R1 page 22). The Board finds the two sales comparables submitted by the Respondent are not comparable to the subject property as they have smaller net rentable areas, have smaller parcel sizes and are located on high volume streets (Exhibit R1 page 24).

Based on the equity and sales analysis, the Board finds that \$85.00 psf is reasonable for the subject property.

Board's Decision:

It is the decision of the Board to reduce the assessment for the subject property from \$20,540,000 to \$18,840,000 for the 2010 assessment year.

DATED AT THE CITY OF CALGARY THIS 6th DAY OF AUGUST 2010.



Lana J. Wood
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.*