

**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:

Altus Group Ltd., COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

R. Irwin, PRESIDING OFFICER

M. Peters, MEMBER

D. Morice, 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 2010 Assessment Roll as follows:

ROLL NUMBER:	068 078 492
LOCATION ADDRESS:	606 4 St. SW
HEARING NUMBER:	58747
ASSESSMENT:	\$49,140,000

This complaint was heard on the 28th day of July, 2010 at the office of the Assessment Review Board located at 4th floor, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom #5.

APPEARED:

- G. Worsley
- D. Generaux

(Altus Group Ltd., Complainant)

and

- H. Neumann
- W. Krynski

(City of Calgary Assessment, Respondent)

PROPERTY DESCRIPTION:

The subject property is a 135,841 sq. ft. office building located at 606 4 St. SW Calgary in submarket area Non-Residential DT1. There are 127,366 SF of office space, 179 parking stalls and 8,475 SF of retail space. The assessment is \$49,140,000.

ISSUES:

- rental rate
- vacancy
- cap rate

COMPLAINANT'S REQUESTED VALUE:

The requested value was \$32,300,000 on the complaint form and was revised to \$26,120,000 in the evidence and during the hearing.

BOARD FINDINGS:

Both parties request evidence from hearings 59978 and 59969-1C be brought forward and considered in this hearing

RENTAL	VACANCY	CAP
Request \$ 20.00 office \$ 26.00 retail Complainants evidence of \$17.00 rental rate noted as post-fact and 3 rd party reports support the respondents rental rate. Respondent's evidence includes two actual 2008 leases in the subject at the following rates. \$37.50 \$36.00	Request to increase vacancy to 12% from 8% Respondent's comparables illustrate a 8% vacancy. Respondent's vacancy info indicates 5.45% vacancy rate Respondent's ARFI indicates subject property has 0% vacancy.	Request Cap Rate increase to 8.5% No evidence from the complainant to support request City assessed at 8% <ul style="list-style-type: none"> • NO SALES

BOARD DECISION

The board gave careful consideration to all the evidence and argument presented and confirms the assessment at \$49,140,000.

DATED AT THE CITY OF CALGARY THIS 31 DAY OF AUGUST, 2010.



R. IRWIN, 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.*