

**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-26.1, Section 460(4).

between:

Altus Group Ltd., COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

T. Helgeson, PRESIDING OFFICER

J. Massey, MEMBER

J. Mathias, 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:

ROLL NUMBER: 097015101

LOCATION ADDRESS: 6210 44th Street S.E.

HEARING NUMBER: 56338

ASSESSMENT: \$11,990,000

This complaint was heard on the 3rd day of August, 2010 at the office of the Assessment Review Board located at 4th Floor, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 5.

Appeared on behalf of the Complainant:

- *Josh Weber*

Appeared on behalf of the Respondent:

- *Don Kozak and Aram Mohtadi*

Property Description:

The subject property is a warehouse with office extension, with a rentable area of 146,780 square feet. The subject property, constructed in 1995, is situated on a 5.98 acre site in the Foothills Industrial area of southeast Calgary. The subject property has been assessed at \$81 per square foot.

Issues:

Is the assessment of the subject property fair and equitable compared to assessments of similar property?


Complainant's Requested Value:

The Complainant submitted \$81 per square foot was too high, and suggested that a value range of \$70 to \$73 per square foot for the subject would be equitable, based on assessments of comparable properties, and, in particular, 5353 50th Street S.E., which is assessed at \$73.00. If assessed at that rate, the assessment for the subject property would be \$10,710,000.

Board's Decision:

The Board found that, in view of the assessments of comparable properties, \$81 per square foot for the subject property was not equitable. Accordingly, the assessment was reduced to \$10,710,000.

DATED AT THE CITY OF CALGARY THIS 2 DAY OF SEPTEMBER 2010.



for T. Helgeson
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.*