

**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

P. Grace, MEMBER

B. Jerchel, 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: 054003991

LOCATION ADDRESS: 2820 7 AVENUE NE

HEARING NUMBER: 59618

ASSESSMENT: \$12,970,000

This complaint was heard on 31st day of August, 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:

- *Mr. R. Worthington*

Appeared on behalf of the Respondent:

- *Ms. M. Lau*
- *Mr. J. Young*

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

At the commencement of the hearing, the Complainant advised the Board that a single tenant warehouse, located at 4100 Westwinds Drive NE, had sold for \$25,825,000 (or \$86 psf) on August 19, 2009. Although the sale is post facto, it does provide a good indication of value. The subject property is also located in the NE quadrant. It is a multi tenant warehouse comprised of 142,674 sq ft of rentable building area, located on a 7.85 acre site. It is assessed at \$90 psf. No evidence was submitted by the Respondent. The Board finds the sale of 4100 Westwinds Drive NE supports the assessment of the subject property. It is the decision of the Board to confirm the 2010 assessment of the subject property at \$12,970,000.

DATED AT THE CITY OF CALGARY THIS 15 DAY OF SEPTEMBER 2010.



Lana J. Wood
Presiding Officer

APPENDIX A

DOCUMENTS RECEIVED AND CONSIDERED BY THE ASSESSMENT REVIEW BOARD:

NO.	ITEM
Exhibit C1	Evidence Submission of the Complainant

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.*