

**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: 098003502

LOCATION ADDRESS: 3344 54th Avenue S.E.

HEARING NUMBER: 59736

ASSESSMENT: \$12,010,000

This complaint was heard on the 4th 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:

- *Ian Baigent and Aram Mohtadi*

Property Description:

The subject property is a single-tenant industrial warehouse with 18% finish. It was constructed in 1969, and is situated on 10.27 acre site in the Foothills Industrial area of southeast Calgary. The subject property has a rentable area of 185,246 square feet, and has been assessed at \$12,010,000, or \$64 per square foot.

Issues:

Is the assessment of the subject property fair and equitable when compared to assessments of similar properties.

Complainant's Requested Value:

Properties similar to the subject, i.e., single-tenant industrial warehouses in southeast Calgary, show assessments at \$60 per square foot. Therefore, a fair and equitable assessment for the subject should be \$11,110,000, or \$60 per square foot.

Board's Decision:

The Board found that the equity comparables of the Complainant were not comparable enough. The evidence of the Respondent was persuasive; income, sales, and equity support confirmation of the assessment, as does the fact that the subject has more land and superior finish. Therefore, the Board confirmed the assessment at \$12,010,000.

DATED AT THE CITY OF CALGARY THIS 9th DAY OF September 2010.



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.*