

**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:

COMPLAINANT, Canadian Valuation Group Ltd.

and

RESPONDENT, The City Of Calgary

before:

R. Irwin PRESIDING OFFICER

H. Ang, MEMBER

D Julien, 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: 048 043 608

LOCATION ADDRESS: 1826 – 25 Ave. N.E. Calgary, Alberta

HEARING NUMBER: 57228

ASSESSMENT: \$4,080,000

This complaint was heard on 7 day of _September, 2010 at the office of the Assessment Review Board located at Floor Number 3 , 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 10.

Appeared on behalf of the Complainant:

- D. Sheridan, Linnell Taylor Lipman acting for CVG Valuation Ltd.

Appeared on behalf of the Respondent:

- P. Sembrat, *Assessor City of Calgary*

Preliminary Matters:

None. The merit hearing proceeded

Property Description:

The subject parcel is a 1.73 acre site with 2 buildings constructed in 1980. Each building has a 17,280 sq.ft. footprint. The property is located at 1826 – 25 Avenue N.E. Calgary, Alberta and is assessed at \$4,080,000

Issues:

Rental rate

Complainant's Requested Value:

\$2,900,000 on complaint form revised to \$3,520,000 in evidence and at hearing.

Board's Findings:

The complainant presented 4 sales comparables with varying site coverage and finish quality. The complainant also completed a time adjustment exercise and highlighted the differences in clear wall height but did not believe adjustments were required for location or size. The Respondent noted that important issues of site coverage and finish quality should also be adjusted for, as the subject was superior in both areas than were the complainants comparables.

The Complainant replied that when all issues were considered, the Complainants comparables actually supported the assessment.

Board's Decision:

The assessment is confirmed at \$4,080,000

DATED AT THE CITY OF CALGARY THIS 14th DAY OF OCTOBER 2010.



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.*