

**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

M. Grace, MEMBER

I. Fraser, 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: 054007406

LOCATION ADDRESS: 610 Moraine Road N.E.

HEARING NUMBER: 57726

ASSESSMENT: \$2,190,000

This complaint was heard on the 24th day of August, 2010 at the office of the Assessment Review Board located at 4th Floor, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 2.

Appeared on behalf of the Complainant:

- *D. Chabot*

Appeared on behalf of the Respondent:

- *J. Lepine*

Property Description:

The subject property is a single-tenant industrial warehouse with an office extension, situated on 1.10 acre site in northeast Calgary. The warehouse was constructed in 1965, and has a rentable building area of 13,347 square feet. The subject property has been assessed at \$2,190,000, or \$164 per square foot.

Issues:

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

Complainant's Requested Value:

Properties comparable to the subject property, and some that are superior, are assessed at less per square foot than the subject property. Based on an 8% CAP rate and typical rental rates, the assessment per square foot should be reduced to \$95, for an overall assessment of \$1,280,000.

Board's Decision:

The Respondent's comparables were far more comprehensive than those of the Complainant, hence more persuasive, and supported an assessment for the subject property in the range of \$160 to \$170 per square foot. Accordingly, the Board found the assessment of the subject property to be fair and equitable, and confirmed the assessment at \$2,190,000.

DATED AT THE CITY OF CALGARY THIS 24 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.*