

**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:

Assessment Advisory Group Ltd., *COMPLAINANT*

and

The City Of Calgary, RESPONDENT

before:

J. Noonan, ***PRESIDING OFFICER***

P. Charuk, ***MEMBER***

R. Glenn, ***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:	101005205
LOCATION ADDRESS:	5525 1 St SE
HEARING NUMBER:	58403
ASSESSMENT:	\$2,950,000

This complaint was heard on the 3rd day of November, 2010 at the office of the Assessment Review Board located at the 4th Floor, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 2.

Appeared on behalf of the Complainant:

- T. Howell, Commercial Property Tax Agent – Assessment Advisory Group Ltd.

Appeared on behalf of the Respondent:

- G. Bell, Assessor - *The City of Calgary*

Property Description:

The subject is located at 5525 1 St SE, Calgary. It is a 15,000 sq.ft. industrial property covering 18.9% of a 2.07 acre site in the Manchester Industrial area. A smaller out-building is not an issue. The assessed value is \$2,950,000.

Issue:

Do the sales comparables show the subject property is over-assessed?

Board's Findings in Respect of Each Matter or Issue:

The Complainant presented 4 sales comparables adjusted for date of sale, building size, site coverage, and year of construction where applicable, to determine an average adjusted sale price of \$166 per sq.ft. This average adjusted value applied to the subject produced a requested assessment of \$2,510,000.

The Respondent questioned the validity of the adjustments employed by the Complainant, and introduced 4 sales comparables and a number of equity comparables.

The Composite Assessment Review Board did not consider the equity comparables advanced by the Respondent as the Complainant's issue was market value as determined by sales comparables.

The CARB was not persuaded that the Complainant's adjustments for building size and site coverage were sufficient or accurate.

The best evidence before the Board was the sale at 6020 3 St SE, a parcel of 1.98 acres vs. 2.07 for the subject, and having 1200 sq.ft. greater improvement size sold at a time-adjusted \$3.2 million. The subject assessment at \$2.95 million appears fair.

Board Decisions on the Issues:

The Board confirms the assessment of \$2,950,000.

DATED AT THE CITY OF CALGARY THIS 8 DAY OF November 2010.


J. Noonan
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.*