

**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, Revised Statutes of Alberta 2000 (the Act).

between:

Saju Holdings Ltd.(as represented by Altus Group Limited), COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

T. Hudson, PRESIDING OFFICER

R. Roy, MEMBER

T. Usselman, MEMBER

This is a complaint to the Calgary Assessment Review Board in respect of a property assessment prepared by the Assessor of The City of Calgary and entered in the 2011 Assessment Roll as follows:

ROLL NUMBER: 044025294

LOCATION ADDRESS: 2112 Crowchild TR NW

HEARING NUMBER: 64018

ASSESSMENT: \$7,370,000

This complaint was heard on 3rd day of August, 2011 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:

- *B. Neeson*

Appeared on behalf of the Respondent:

- *B. Thompson*

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

There were no procedural or jurisdictional matters raised by the parties.

Property Description:

The subject property is classified as an A2 quality commercial retail strip centre known as Hilltop Plaza, and is located on a 3.05 acre parcel in NW Calgary. The retail strip centre improvements were constructed in 1986 and include a total of 22,763 square feet (sf) of assessable CRU space. The subject is assessed at \$7,370,000(rounded) or \$323.77 per square foot (psf.), using the income approach to value.

Issues:

The Complainant identified the issues as the current assessment amount of the subject exceeds market value and is not equitable with similar properties. Specifically, the Complainant requested that the rent rates for CRU space under 1000sf, be reduced to \$23 from \$27psf; for CRU space 1000-2500sf to \$23 from \$26psf, and CRU space 2501-6000sf to \$21 from \$25psf. The Complainant advised that all of the other value factors used to calculate the current capitalized income approach to value assessment were accepted.

Complainant's Requested Value: \$ \$6,390,000(rounded), or \$280.72 psf.

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

The Board finds that the current assessment reflects both market value and equity with similar properties.

The Complainant proposed a reduction in the rent rates for the CRU space in the subject property, as the only adjustment to the valuation factors employed in the income approach to value assessment calculated for typical A2 quality strip retail centres located in NW Calgary.

The assessed rent rates for CRU space in several retail properties of varying quality, classification and location, were presented by the Complainant as comparable to the subject.

However, the Complainant submitted no evidence, such as the rent roll, or the Assessment Request for Information (ARFI), for the subject property, to allow an informed comparison.

The Respondent submitted several equity comparables which support the current assessment.

Therefore, the Board did not have sufficient evidence to find that the subject property was other than a typical A2 quality, NW Calgary retail strip centre, where typical rent rates for CRU space should apply in the assessment.

Board's Decision: The assessment is confirmed at \$7,370,000.

DATED AT THE CITY OF CALGARY THIS 8 DAY OF SEPTEMBER 2011.



T. B. Hudson
Presiding Officer

APPENDIX "A"**DOCUMENTS PRESENTED AT THE HEARING
AND CONSIDERED BY THE BOARD:**

NO.	ITEM
1. C1	Complainant Disclosure
2. C2	Complainant Rebuttal
3. R1	Respondent Disclosure

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.*

For MGB Administrative Use Only

<i>Decision No.</i>		<i>Roll No.</i>		
<u>Subject</u>	<u>Type</u>	<u>Issue</u>	<u>Detail</u>	<u>Issue</u>
CARB	Retail	Strip Plaza	Income Approach	Market Rent