

**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:**

***Tarco Inc., COMPLAINANT***

**and**

***The City Of Calgary, RESPONDENT***

**before:**

***C. McEwen, PRESIDING OFFICER***

***S. Rourke, MEMBER***

***J. Pratt, 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: 078072808**

**LOCATION ADDRESS: 3004 OGDEN RD SE**

**HEARING NUMBER: 60661**

**ASSESSMENT: \$1,470,000**

This complaint was heard on the 8<sup>th</sup> day of September, 2011 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, AB, Boardroom 3.

Appeared on behalf of the Complainant:

- J. Nguyen

Appeared on behalf of the Respondent:

- T. Luchak

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

There were no jurisdictional or procedural matters raised by either party.

**Property Description:**

The subject property is a .23 acre parcel located in the Bonnybrook district of SE Calgary. The site is improved with an 8,650 square foot industrial warehouse/office constructed in 1979. The property is assessed at \$171 per square foot.

**Issues:**

Is the subject property assessed higher than market value and is the assessment, therefore, inequitable to comparable properties?

**Complainant's Requested Value:**

\$1,200,000

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

The Board finds the subject property over assessed for the following reasons:

- The subject appraisal (C1 and C2), dated March 16, 2010, is accepted as the best indicator of value of the subject property. The appraisal uses two approaches to value, Market and Income, both of which support the requested value of \$1,200,000.
- The post facto sale of the subject property on March 25, 2011 for \$1,167,750 further supports the appraised value.
- The best sales comparable to the subject property is the property located at 402 53 AVE SW which sold for a time adjusted price of \$136 per square foot. This compares favourably with the requested subject value of \$138 per square foot.

In summary, the Board finds the Complainant's request to be well supported by the evidence before it.

**Board's Decision:**

The subject assessment is reduced to \$1,200,000.

DATED AT THE CITY OF CALGARY THIS 22<sup>nd</sup> DAY OF September 2011.



**C. McEwen**  
**Presiding Officer**

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

<b>NO.</b>	<b>ITEM</b>
1. C1	Complainant Disclosure
2. C2	Complainant Disclosure
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.*