

**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:

Shawnee G. P. Ltd., (as represented by Altus Group), COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

T. Hudson, PRESIDING OFFICER

H. Ang, MEMBER

J. Kerrison, 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: 147072201

LOCATION ADDRESS: 14315 Macleod TR SW

HEARING NUMBER: 63886

ASSESSMENT: \$8,080,000

This complaint was heard on the 27th day of October 2011 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 3.

Appeared on behalf of the Complainant:

- A. Iazard
- D. Main

Appeared on behalf of the Respondent:

- M. Byrne

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 a 2.78 acre parcel of commercial land located in the Shawnee Slopes community at 14315 Macleod TR SW. The parcel was improved in 1996 and 1998 and has 27,143 square feet of rentable area in an A quality Strip retail centre known as Shawnee Station. The centre includes an auto mechanical repair area of 9,213 sf. The balance of the net rentable area includes commercial rental units (CRU), and two retail pads. The current assessment is \$8,080,000(rounded) based on capitalized income.

Issues:

Should the Assessed Rental Rate of \$26 Per Square Foot (psf.) for the Auto Repair Shop be Reduced to \$18 psf?

Complainant's Requested Value: \$7,190,000(rounded).

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

Should the Current Assessed Rental Rate of \$26 Per Square Foot (psf.) for the Auto Repair Area be Reduced to \$18 psf?

The Board finds that the current assessed rental rate of \$26 psf. for the auto repair area, should be reduced to \$22 psf. for the subject property.

The Complainant provided a substantial amount of both market and assessment equity evidence in support of the request for a reduction in the assessed rate to \$18 psf. However, most of the evidence was not from comparable Strip centre retail properties.

The Respondent provided no market evidence, and only one (1) assessment equity comparable

in support of the current assessed rate of \$26 psf.

However, the Respondent also submitted the Assessment Request for Information (ARFI) report, for the subject property. The ARFI shows that a median value of \$22 psf. is being achieved from current leases of the auto repair area.

Given the absence of better evidence, the Board places most weight on the ARFI for the subject.

Board's Decision: The assessment is reduced to \$7,630,000(rounded).

DATED AT THE CITY OF CALGARY THIS 25 DAY OF November 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. 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.*

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<i>Decision No.</i>		<i>Roll No.</i>		
<u>Subject</u>	<u>Type</u>	<u>Sub-Type</u>	<u>Issue</u>	<u>Sub-Issue</u>
CARB	Retail	Strip Centre	Income Approach	Rent rate for auto area