



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:

Calgary Industrial Properties Ltd. c/o Dundee Realty Management Corp. (as represented by Colliers International Realty Advisors Inc.), COMPLAINANT

and

The City of Calgary, RESPONDENT

before:

L. Wood, PRESIDING OFFICER

A. Blake, MEMBER

A. Wong, 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 2013 Assessment Roll as follows:

ROLL NUMBER:	090075607
LOCATION ADDRESS:	521 36 AV SE
FILE NUMBER:	70902
ASSESSMENT:	\$13,310,000

This complaint was heard on 8 day of August, 2013 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 9.

Appeared on behalf of the Complainant:

- T. Howell Agent, Colliers International Realty Advisors Inc.

Appeared on behalf of the Respondent:

- M. Hartmann Assessor, City of Calgary

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

[1] The parties requested that their arguments pertaining to comparisons between multi building sites and single building sites as submitted in the previous hearing (file 70716) be cross referenced to this file as well. The Board agreed to do so.

Property Description:

[2] The subject property is comprised of three multi tenant industrial warehouses located on a 6.15 acre parcel in Manchester Industrial. The assessable building areas are 57,300 sq. ft., 24,000 sq. ft. and 40,040 sq. ft. All of the buildings were constructed in 1972 and have a site coverage ratio of 45.33%. There is a slight variance in finish between the buildings: 34%, 27% and 12%. The subject property was valued based on the direct sales comparison approach at an overall value of \$113.01 psf; the buildings were attributed rates of \$104.74 psf, \$128.80 psf and \$115.30 psf respectively. The land use designation is I-G, Industrial General.

Issue:

[3] Comparable properties will support a reduction to the subject property's assessment.

Complainant's Requested Value: \$11,000,000

Board's Decision: The assessment is confirmed at \$13,310,000.

Position of the Parties:

Complainant's Position:

[4] The Complainant submitted three sales comparables of single tenant and multi tenant warehouses in support of his request (Exhibit C1 page 17). Two of the three sales comparables are multi building sites. The sales occurred in April 2010 – January 2011. The warehouses were built in 1966 – 1981; have an (aggregate) assessable building area of 106,309 – 121,622 sq. ft.; parcel sizes of 4.49 – 9.22 acres; and site coverage ratios of 26.47% - 62.18%. The time

adjusted sale price ("TASP") was \$74.13 - \$104.59 psf, an average of \$86.57 psf.

[5] In rebuttal, the Complainant included the sales documents of the Respondent's comparables for the Board's consideration. He drew the Board's attention to the area discrepancies between what was reported in RealNet and the Property Assessment Summary Reports (Exhibit C2).

Respondent's Position:

[6] The Respondent submitted six sales comparables of single and multi tenant warehouses to support the rates that were applied to each of the multi tenant warehouses on site (Exhibit R1 page 23). The sales occurred in October 2009 – November 2011. The warehouses were built in 1965 – 1976; have assessable building areas of 20,010 – 59,573 sq. ft.; parcel sizes of 1.10 – 3.56 acres; site coverage ratios of 35.24% - 54.81%; and finish percentage of 3% - 38%. The time adjusted sale price ("TASP") was \$89.17 - \$181.65 psf. It is noted that during the Respondent's presentation, she divided the sales chart and attributed two sales to each of the subject warehouses in support of their individual assessed rates.

[7] The Respondent also submitted six equity comparables, comprised of three multi building, multi tenant warehouses, in support of the assessed rates (Exhibit R1 page 25). The warehouses were built in 1965 – 1972; have assessable building areas of 22,300 – 55,617 sq. ft.; parcel sizes of 3.39 – 5.73 acres; site coverage ratios of 30.88% - 45.58%; and finish percentage of 13% - 81%. The assessed rates were \$104.98 - \$138.69 psf.

Legislative Authority:

Decisions of assessment review board

467(1) An assessment review board may, with respect to any matter referred to in section 460(5), make a change to an assessment roll or tax roll or decide that no change is required.

(2) An assessment review board must dismiss a complaint that was not made within the proper time or that does not comply with section 460(7).

(3) An assessment review board must not alter any assessment that is fair and equitable, taking into consideration

- (a) the valuation and other standards set out in the regulations,
- (b) the procedures set out in the regulations, and
- (c) the assessments of similar property or businesses in the same municipality.

Board's Reasons for Decision:

[8] The Board finds the sales comparables submitted by the Complainant were not similar to the subject property to warrant a reduction. The Board was satisfied that the sales comparables presented by the Respondent exhibited a range of values which supported the subject property's assessment and was further substantiated by the equity comparables.

DATED AT THE CITY OF CALGARY THIS 9th DAY OF September 2013.



Lana J. Wood
Presiding Officer

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

NO.	ITEM
1. C1	Complainant's Disclosure
2. C2	Complainant's Rebuttal
3. R1	Respondent's 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 ADMINISTRATIVE USE

Subject	Property Type	Property Sub -Type	Issue	Sub - Issue
CARB	Warehouse	Warehouse Multi Tenant	Sales Approach	