



CENTRAL ALBERTA REGIONAL
**Assessment
Review Board**

Complaint ID 0262 2080
Roll No. 30002021250

LOCAL ASSESSMENT REVIEW BOARD DECISION
HEARING DATE: MONDAY, JUNE 16, 2025

PRESIDING OFFICER: D. WIELINGA
BOARD MEMBER: K. SHANNON
BOARD MEMBER: C. NEITZ

BETWEEN:

FLEUR JACOBS
as represented by Cornelius Jacobs

Complainant

-and-

REVENUE AND ASSESSMENT SERVICES
for the City of Red Deer

Respondent

This decision pertains to a complaint submitted to the Central Alberta Regional Assessment Review Board in respect of a property assessment prepared by an Assessor of the City of Red Deer as follows:

ROLL NUMBER: 30002021250
MUNICIPAL ADDRESS: 7 FREEMONT CLOSE, RED DEER, AB
ASSESSMENT AMOUNT: \$289,200

The complaint was heard by the Local Assessment Review Board on the 16th day of June 2025, in Council Chambers at the City of Red Deer, Alberta.

The Board derives its authority from the Municipal Government Act, R.S.A 2000, Chapter M-26 (the MGA) and related legislation as set out in Appendix "B".

Appeared on behalf of the Complainant: Cornelius Jacobs, Agent Representative
Fleur Jacobs, Property Owner

Appeared on behalf of the Respondent: Travis Larder, Property Assessor
Kurtis Hall, Property Assessor

DECISION: The assessed value of the subject property is not changed from \$289,200

JURISDICTION

- [1] The Central Alberta Regional Assessment Review Board [“the Board”] has been established in accordance with section 455 of the *Municipal Government Act*, RSA 2000, c M-26 [“MGA”].

PROPERTY DESCRIPTION AND BACKGROUND

- [2] The documentation and confirmed at the hearing, the subject property is described as a 1,037 SF single-family bungalow, built in 1962. The 3-bedroom home has two bathrooms, a partially developed basement. The home is located on a 5,500 SF lot at 7 Freemont Close in the subdivision of Fairview in Red Deer, AB.

PRELIMINARY MATTERS

- [3] The Board addressed objections regarding disclosure timing and delivery.

Issue 1:

- [4] The Respondent objected to Complainant's evidence (C1), stating it was not properly delivered.
- [5] The Board reviewed the rules of the distribution of evidence in *Matters Related to Assessment Complaints Regulation, 2018, AR 201/2017* (“MRAC”), particularly Section 5(2), Disclosure of Evidence and MRAC Section 6(b), Issues and Evidence before a Panel. The Board turned to the direction outlined for the parties on the Notice of Hearing issued April 1, 2025. The Board notes the directions for disclosure at the bottom of the first page of the Notice of hearing. The Board reviewed the addresses to the Respondent, Complainant and the Board.
- [6] The Board noted that the addresses for in person delivery and the Respondent’s address are the same physical address.
- [7] The Respondent is identified as the fourth floor.
- [8] The Board heard during the Complainant's testimony that they submitted their evidence to the Red Deer City Hall reception desk and requested they give it to the Respondent on the 4th floor.
- [9] The Board determined the Complainant could go no further than the reception desk on the first floor and therefore relied on a third party to deliver it to the parties involved.
- [10] As the Board is unable to determine the process of the third-party individual, the Board determined the Complainant’s documentation has been received by the Respondent as it was delivered by the Complainant to the building on May 23, 2025.

Issue 2:

- [11] The Complainant objected to the Respondent’s evidence delivery package, arguing that a hard copy was required and delivery by email did not comply with legislation. The Board reviewed MRAC, particularly Section 5(2), Disclosure of Evidence and the *Interpretation Act Section 22(7)* and found

the Respondent's June 9, 2025 delivery via email to be in compliance of the seven-day minimum requirement before the hearing date.

- [12] Accordingly, the Board accepted both parties' submissions.
- [13] Neither party raised any objection to the panel hearing the complaint.
- [14] No additional preliminary or procedural matters were raised by any party. Both parties indicated that they were prepared to proceed with the complaints.

Issue 3:

- [15] Upon the return of the Board from its recess, the Complainant was no longer in attendance. The Board took one final recess to allow the Complainant additional time to return to the hearing. After 15 minutes, the Board returned and noted the Complainant had not returned. The hearing carried forward with only the written submission of the Complainant in accordance with section 19(1) of MRAC as set out in Appendix B of this decision.

POSITION OF THE PARTIES

Position of the Complainant

- [16] The Complainant is seeking a reduction of the assessed value of his property from \$289,200 to \$260,000, citing inequity in assessment relative to neighboring properties and concern that the property was overvalued.
- [17] The 2025 Property Assessment Notice indicates a customer review period from January 9 to March 18, 2025, with an assessed value of \$289,200 (C.1. pg. 3)
- [18] The Complainant had several comparable properties, including the addresses, the 2025 Tax Assessment, the 2024 Tax Assessment (C.1 pg. 2).
- [19] The Complainant included a list of Fairview home sales for the 2024 year (C.1. pg. 3).
- [20] The Complainant had a list of sales comparables to the subject property (C.1. pg. 9).
- [21] The Complainant had photos of properties (9 Freemont Close, 11 Freemont Close, 27 Freemont Close, 16 Fairway Avenue and 5 Freemont Close) with the address and the 2025 tax assessment (C.1. pg. 10-15).
- [22] The Complainant had a map of the location of the above-mentioned properties; additional properties on this map were 16 Fairway Avenue, 10 Freemont Close, 72 Fern Street, 17 Fir Street, 10 Fir Street and 59 Fern Road. The subject property was also located on this map (C.1. pgs. 16 and 17).
- [23] In response to comparable properties shared by the Respondent on the documentation, the Complainant pointed out that some of the properties have a similar age, similar or larger lot size, a partially finished basement and an inferior number of renovations. The Complainant continued by stating that 3 of them have a detached garage and one has a carport. Whereby, the Complainant's property has no garage or carport (C.1. pg. 15)

[24] The Complaint indicated that after a stressful search for a home, the Complainant bought 7 Freemont Close for \$287,500 (C.1. pg. 15).

[25] The Complainant mentioned that they included some of the 2025 tax assessment notices from the list the Respondent provided (C.1. pg. 15). The Complainant had the following comments on the list provided by the Respondent:

- 11 Freemont Close, similar age, similar lot size, but with a garage, the assessment was \$292,000,
- 13 Freemont Close, similar age, similar house, similar lot size, but with a garage, the assessment was \$293,000,
- 9 Freemont Close, similar age, similar house, similar lot size, but with a front carport, carriage house, finished basement, the assessment was \$281,000.

Position of the Respondent

[26] The Respondent recommended that the Board accept the current value of the subject property.

[27] The Respondent stated that there are many factors which contribute to an assessment, and although the Complainant identified some of these factors, they have not accounted for them all.

[28] The Respondent reviewed the assessment details of the subject property (C.1. pg. 8).

[29] The Respondent stated the Complainant neglected to take into account things like renovations, which affect value more than a 40-year-old garage.

[30] The Respondent recognized the Complainant stated they overpaid for their home in 2022, and this overpayment has carried over to the current valuation. If supply does not meet the demand, then values are driven up and this is how the market works.

[31] The Respondent stated that from the MLS listing, the property sold for a reduced price after only 14 days on the market. If the Complainant overpaid for the property, the seller would not have reduced the asking price after only 14 days on the market. This period of time is not a reasonable exposure time in a normal market; the timeframe is typically 30 to 90 days. The Respondent stated that this demonstrates that, although the market was competitive in 2022, there was still room to negotiate. Indicating that if the market was "hot" and they overpaid, they would have paid more than the list price.

[32] The Respondent indicated that the subject property was assessed utilizing mass appraisal techniques as indicated in Alberta legislation.

[33] The Respondent stated there are 162 standard bungalows located in the neighborhood of Fairview. These homes range in size between 864 and 2,146 sq. ft. and have assessments that range from \$239,200 to \$402,600. The median size for standard quality bungalows in Fairview is 1,034 sq. ft. The median assessment for standard quality bungalows in Fairview is \$293,950.

[34] The Respondent shared three equity comparable in square footage, lot size and location, one has a garage so it is assessed higher.

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- [35] The Equity Chart (R.1. pg. 13) provided by the Respondent stated that these properties are similar in terms of age, style, and features, and show a range of value based on individual characteristics. During questioning from the Board, the Respondent clarified comparable #2 does have a garage.
- [36] The Respondent commented on each of the comparables:
- Comparable 1 – would require the most amount of adjustment to account for differences. The superior attributes are fireplace, full finished basement and garage. The inferior attributes are slightly fewer renovations,
 - Comparable 2 – is the same size as the subject home on exactly the same sized lot. The superior attributes are: two fireplaces, fully finished basement. The inferior attribute is the effective age,
 - Comparable 3 – is the closest comparison as it would require the least number of adjustments to account for differences from the subject property. The superior attribute is the lot size. The inferior attribute would be the effective age.
- [37] The Respondent reviewed MLS historic sales price trend chart (R.1. pg. 14) and indicated that this illustrates that the median sale price of detached residential properties in North Red Deer increased significantly between 2021 and 2024.
- 2021 Median Price: approximately \$370,000
 - 2024 Median Price: approximately \$450,000
- [38] The Respondent stated that it is the assessor's responsibility, as stated in the MGA S. 293(1) to value property in a fair and equitable manner.
- [39] The Respondent indicated that between July 1, 2023 and July 1, 2024 there were 23 sales of standard bungalows in North Red Deer. These houses ranged between 959 sq. ft. and 1,825 sq. ft. and sold from \$195,000 to \$400,000.
- Median size for a standard bungalow in North Red Deer is 1,088 sq. ft.
 - Median sale price for standard bungalows in North Red Deer is \$300,000.
- [40] The Respondent reviewed comparable sales of size and location within the same valuation period as the subject property (R.1. pg. 17). The three sales ranged from \$316,700 to \$386,100.
- [41] The Respondent stated that if the subject property was lowered to \$260,000 this would be much lower than the sale price and below the sale price of the closest comparison, this would create inequity between the subject and similar properties.
- [42] The Respondent's documentation indicates that the Assessment to Sales Ratio (ASR) measures how closely a property's assessment value aligns with the market value of a home; ASR close to 1.00 suggests the assessment is correct, while values above or below 1.00 point to an over or under assessment.
- [43] The Respondent stated that if he lowered the subject property to \$260,000, this would be much lower than the sale price and below the sale price of the closest sale comparison property, creating inequity between the subject and similar properties.
- [44] The Respondent stated that home assessment values cannot be used as market evidence.
- [45] The Respondent repeated that there are 162 standard bungalows in Fairview, the assessments range from \$239,200 and \$402,600, with a median assessment of \$293,950.

- [46] The Respondent emphasized that assessed values of other properties cannot be used as direct ma
- [47] The Respondent concluded his presentation by requesting the Board to confirm the current assessment of \$289,000.

BOARD FINDINGS and DECISION

- [48] The Board acknowledges that the Complainant feels that the property assessment of \$289,200 is an inaccurate reflection of market value. This is based on assessments of similar properties in the same neighbourhood.
- [49] The Board notes that no sales comparables have been submitted to support the Complainant's assessment reduction to \$260,000.
- [50] The Board puts significant weight on the 10 sales that occurred of this type of property in the Fairview area over the last year. The median ASR ratio of 10 sales that occurred of this type of property is 97.5%, which the Board accepts is a great indicator that the subject property has not been over assessed.
- [51] The Board puts significant weight on the Respondent's explanation that assessed values cannot be relied upon as market evidence because they are produced using standardized models that do not account for the unique conditions of individual sales. In Contrast, without supporting market sales data, the use of assessment values alone by the Complainant does not provide sufficient evidence to determine true market value or justify a change in the subject assessment.
- [52] In regard to comparables, the Board put weight on Respondent's sales comparable, R.1. pg. 17 with significant weight assigned to 18 Fairway Av (Sale #1) due to the following:
- The Board accepts Sale #1 is the best market comparable,
 - Both the subject property and Sale #1 were built in 1962 and are in the same neighbourhood,
 - Both properties had partial basement development,
 - Sale #1 had fewer renovations and fewer bathroom fixtures than the subject property, the Board noted the subject property has undergone both interior and exterior updates,
 - The Board noted the key difference of Sale #1 includes a garage while the subject property does not.
- [53] The Board notes that the time adjusted sale price for time adjusted price of \$331,400, R.1. pg. 17.
- [54] The Board notes the subject property has undergone significant renovations, which add value to the subject property. Those renovations, though not quantified, are evident from the inspection conducted in 2024. The Board puts significant weight on the fact that it is not able to put a dollar value on those renovations.
- [55] The Board then looked at that the median assessed value for standard quality bungalows in Fairview is \$293,950. The Board agrees with the Respondent that the subject property's size and quality align with the median characteristics of standard bungalows.

- [56] The Board further reviewed the assessment range for 162 bungalows in Fairview is \$239,200 to \$402,600 and notes that the subject property's assessed value of \$289,200 sits within this range.
- [57] The Board reviewed section 467(3)(a) of the MGA, the Board must not alter an assessment that is fair and equitable. In this case, the evidence presented, particularly sales comparables and analysis of the 18 Fairway Avenue sale, supports that the current assessment is fair and reflects the market conditions.
- [58] The Board finds insufficient evidence to support the Complainant's requested reduction in the assessed value. The best market evidence supports the Respondent's valuation, and while there are minor variations in adjustments and comparable features, they do not materially impact the fairness of the \$289,000 assessment.
- [59] Board confirms the current assessed value of \$289,200 because not enough evidence was brought forward to support lowering the assessment amount.

DECISION SUMMARY

- [60] The Board finds that the original assessed value is confirmed at \$289,000, and no change is required.
- [61] Dated at the Central Alberta Regional Assessment Review Board, in the city of Red Deer, in the Province of Alberta this 30th day of June, 2025 and signed by the Presiding Officer on behalf of all the panel members who agree that the content of this document adequately reflects the hearing, deliberations and decision of the Board.

Lisa Nord

Lisa Nord, Board Clerk
on behalf of
D Wielinga
Presiding Officer

This decision may be judicially reviewed by the Court of King's Bench pursuant to section 470(1) of the Municipal Government Act, RSA 2000, c M-26.

MGA 470(1) *Where a decision of an assessment review board is the subject of an application for judicial review, the application must be filed with the Court of King's Bench and served not more than 60 days after the date of the decision.*

(2) *Notice of an application for judicial review must be given to*

- (a) the assessment review board that made the decision,*
- (b) the complainant, other than an applicant for the judicial review,*
- (c) an assessed person who is directly affected by the decision, other than the complainant,*
- (d) a municipality, if the decision that is the subject of the judicial review relates to property that is within the boundaries of that municipality, and*
- (e) the Minister.*

Additional information may also be found at www.albertacourts.ab.ca.

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

<u>EXHIBIT NO.</u>	<u>ITEM</u>	<u>PAGES</u>
A.1	Hearing Materials	11
C.1	Complainant Submissions	26
C.2	Complainant Rebuttal part 1	2
C.3	Complainant Rebuttal part 2	2
R.1	Respondent Submission	44

APPENDIX "B"**LEGISLATIVE AUTHORITIES CONSIDERED BY THE BOARD:*****Municipal Government Act, R.S.A. 2000, Chapter M-26 (the MGA)*****Interpretation**

s 1(1)(n) In this Act,

- (n) "market value" means the amount that a property, as defined in section 284(1)(r), might be expected to realize if it is sold on the open market by a willing seller to a willing buyer;

Assessments for property other than designated industrial property

s 289(2) Each assessment must reflect

- (a) the characteristics and physical condition of the property on December 31 of the year prior to the year in which a tax is imposed under Part 10 in respect of the property, and
- (b) the valuation and other standards set out in the regulations for that property.

Duties of assessors

293(1) In preparing an assessment, an assessor must, in a fair and equitable manner, (a) apply the valuation and other standards set out in the regulations, and (b) follow the procedures set out in the regulations.

Joint establishment of assessment review boards

s.455(1) Two or more councils may agree to jointly establish the local assessment review board or the composite assessment review board, or both, to have jurisdiction in their municipalities.

Jurisdiction of assessment review boards

s.460.1(1) A local assessment review board has jurisdiction to hear complaints about any matter referred to in section 460(5) that is shown on

- (a) an assessment notice for
- (i) residential property with 3 or fewer dwelling units, or
- (ii) farm land

s.460.1(2) Subject to section 460(14) and (15), a composite assessment review board has jurisdiction to hear complaints about

- (a) any matter referred to in section 460(5) that is shown on
- (i) an assessment notice for property other than property described in subsection (1)(a)

Decisions of assessment review board

s. 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.

- (1.1) For greater certainty, the power to make a change under subsection (1) includes the power to increase or decrease an assessed value shown on an assessment roll or tax roll.
- (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(9).
- (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.
- (4) An assessment review board must not alter any assessment of farm land, machinery and equipment or railway property that has been prepared correctly in accordance with the regulations.

Matters Relating to Assessment and Taxation Regulation, 2018 A.R. 2003/2017 (MRAT)

Mass Appraisal

s. 5 An assessment of property based on market value

- (a) must be prepared using mass appraisal
- (b) must be an estimate of the value of the fee simple estate in the property, and
- (c) must reflect typical market conditions for properties similar to that property.

Valuation Date

s. 6 Any assessment prepared in accordance with the Act must be an estimate of the value of a property on July 1 of the assessment year.

Valuation standard for a parcel of land

s. 7(1) The valuation standard for a parcel of land is

- (a) market value, or
- (b) if the parcel is used for farming operations, agricultural use value.

Valuation standard for a parcel and improvements

s. 9(1) When an assessor is preparing an assessment for a parcel of land and the improvements to it, the valuation standard for the land and improvements is market value unless subsection (2) or (3) applies.

Matters Relating to Assessment Complaints Regulation, AR 201/2017 (MRAC)

Disclosure of evidence

5(1) In this section, “complainant” includes an assessed person or taxpayer who is affected by a complaint who wishes to be heard at the hearing.

(2) If a complaint is to be heard by a local assessment review board panel, the following rules apply with respect to the disclosure of evidence:

- (a)** the complainant must, at least 21 days before the hearing date,
 - (i)** disclose to the respondent and the local assessment review board the documentary evidence, a summary of the testimonial evidence, including any signed witness reports, and any written argument that the complainant intends to present at the hearing in sufficient detail to allow the respondent to respond to or rebut the evidence at the hearing, and
 - (ii)** provide to the respondent and the local assessment review board an estimate of the amount of time necessary to present the complainant's evidence;
- (b)** the respondent must, at least 7 days before the hearing date,
 - (i)** disclose to the complainant and the local assessment review board the documentary evidence, a summary of the testimonial evidence, including any signed witness reports, and any written argument that the respondent intends to present at the hearing in sufficient detail to allow the complainant to respond to or rebut the evidence at the hearing, and
 - (ii)** provide to the complainant and the local assessment review board an estimate of the amount of time necessary to present the respondent's evidence;
- (c)** the complainant must, at least 3 days before the hearing date, disclose to the respondent and the local assessment review board the documentary evidence, a summary of the testimonial evidence, including any signed witness reports, and any written argument that the complainant intends to present at the hearing in rebuttal to the disclosure made under clause (b) in sufficient detail to allow the respondent to respond to or rebut the evidence at the hearing.

Issues and evidence before panel

6 A local assessment review board panel must not hear

- (a)** any matter in support of an issue that is not identified on the complaint form, or
- (b)** any evidence that has not been disclosed in accordance with section 5.

Personal Attendance not required

- s. 19(1)** Parties to a hearing before a panel of an assessment review board may attend the hearing in person or may, instead of attending in person, file a written presentation with the clerk.