



CENTRAL ALBERTA REGIONAL
**Assessment
Review Board**

Complaint ID 0262 2055
Roll No. 30001031410

LOCAL ASSESSMENT REVIEW BOARD DECISION
HEARING DATE: MONDAY, MAY 26, 2025

PRESIDING OFFICER: D. WIELINGA
BOARD MEMBER: S. DUSHANEK
BOARD MEMBER: M. JAMES

BETWEEN:

STEVEN ELLINGSON

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: 30001031410
MUNICIPAL ADDRESS: 4 MACKENZIE CRESCENT, RED DEER, AB
ASSESSMENT AMOUNT: \$435,000

The complaint was heard by the Local Assessment Review Board on the 26th day of May 2025 at the City of Red Deer, Alberta, in the province of 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: Steven Ellingson

Appeared on behalf of the Respondent: Travis Larder, Property Assessor
Harmohit Singh, Property Assessor

DECISION: The assessed value of the subject property is confirmed at \$435,000.

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 subject property is located at 4 Mackenzie Crescent, Red Deer, Alberta. It is a 1,198 sq. ft. bungalow on a 7,320 sq. ft. lot. Built in 1971, the home underwent significant renovations from 2016 to 2019. It has four bedrooms, three bathrooms, and a 310 sq. ft. attached garage.
- [3] The property assessment complaint was submitted by the Complainant to the Central Alberta Regional Assessment Review Board on January 27, 2025.
- [4] The Notice of Hearing was issued to the parties on April 1, 2025.
- [5] The assessed value for 2025 is \$435,000.

PRELIMINARY MATTERS

- [6] The Presiding Officer confirmed that no Board Member raised any conflicts of interest with regard to matters before them.
- [7] Neither party raised any objection to the panel hearing the complaint.
- [8] The Respondent raised a preliminary issue with regard to the disclosure of evidence.
- [9] The Respondent contended that the Complainant did not adhere to the requirements identified under the *Matters Related to Assessment Complaints Regulation*, 2018, AR 201/2017 [“MRAC”] section 5(2) for Disclosure of Evidence and section 6(b) Issues and Evidence before a panel.
- [10] The Respondent explained the Complainant failed to provide his submissions to the Board by the Complainant Disclosure Deadline May 5, 2025.
- [11] The Respondent stated the Complainant’s Disclosure documents had not been disclosed properly in accordance with MRAC, including the following.
- Mackenzie Cr. Sales Comparables (2 pages),
 - 4 Mackenzie assessment January 2025 (1 page), and
 - Property assessed value January 2025 (1 page).
- (Collectively, the “Disputed Production”)
- [12] Further, the Respondent acknowledged the Disputed Production was provided to the Respondent by the Complainant’s disclosure deadline of May 5, 2025. However, the Respondent noted the Board had not received the Disputed Production until after deadline. The Board was not included on the original transmission, the Parties were made aware of the omission prior to the hearing.

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- [13] Through questioning, the Complainant stated that he believed he had submitted the Disputed Production properly to the Respondent and the Board via email until notified the Board did not receive the initial submission until after the disclosure deadline of May 5, 2025.
- [14] The Complainant acknowledged that the misstep resulted from a misreading of the instructions of the Notice of Hearing and accepted responsibility for the error. Nevertheless, he asked the Board to consider the intent and timelines of submission to the opposing party, suggesting leniency.
- [15] The Respondent objected to the inclusion of the Disputed Production and requested that the Board exclude same from the record due to the Complainant's failure to provide disclosure to both the Respondent and the Board by the statutory deadline. Further stating, should the roles be reverse it would be held to the same requirements for disclosure of evidence.
- [16] The Board reviewed the legislative framework, MRAC sections 5 and 6.
- [17] First, the Board points to section 5(2)(a)(i) of MRAC. This outlines the mandatory disclosure requirements for Complainant Disclosure;
- "... 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, ..., and any written argument ... in sufficient detail ..."*
- [18] Second, the Board points to MRAC section 6(b);
- "A local assessment review board panel must not hear ...*
- (b) any evidence that has not been disclosed in accordance with section 5."*
- [19] Relying on the above, the Board confirmed the Complainant was required to advance the Complainant Disclosure to both the Respondent and to the Board.
- [20] Further, the Board considered the reasoning provided by the Complainant surrounding the late disclosure of the Disputed Production. The Complainant identified he had simply mis-read the Notice of Hearing, prompting the Board to review the Notice of Hearing (Exhibit A1, pgs. 6 & 7).
- [21] The Board points out the disclosure instructions and legislation pertaining to the disclosure of evidence MRAC section 5 are identified for each party.
- [22] Therefore, the Board granted the Respondent's request and excluded the Disputed Production the hearing record and did not consider same in its deliberations or decision
- [23] The Board indicated the Complainant was permitted to speak to the information included on the Complainant Form and Complainant Rebuttal only.

POSITION OF THE PARTIES**Position of the Complainant**

- [24] The Complainant argued that the assessment is excessive relative to comparable properties in the neighbourhood and not reflective of a fair and equitable approach.
- [25] The Complainant stated that there was a 14% increase from the previous assessment year. He indicated this exceeded the average increase in his neighbourhood and that other properties did not increase that much. Therefore, his assessment should be in line with neighbourhood properties.
- [26] In response to a question from the Presiding Officer, the Complainant stated he would like to see a decrease in the current assessment of \$435,000 by 7%, as this would align with neighbourhood increases.
- [27] The Complainant stated that the Respondent has followed procedural obligations under the MGA, but there were errors which resulted in an inflated assessment value.
- [28] The Complainant stated that since 2019, there have been no renovations to his home.
- [29] The Complainant argued that the Respondent cannot know the quality and condition of the subject property based only on MLS listings that are more than five years old. Further, he stated that real estate agents find the best angles to advertise and sell a home.
- [30] The Complainant stated that assessment values based on photos lead to inaccurate assessment values.
- [31] The Complainant commented on a claim from the Respondent's documentation, indicating "many of the properties in the MLS listing had 'inferior' renovations." The Complainant indicated this statement is inaccurate and lacks proof.
- [32] The Complainant stated that without a proper inspection, it would be impossible to determine the value of his home; without a proper inspection, the assessment value would be subjective.
- [33] The Complainant indicated that the 2019 purchase price of his home was \$415,000, despite this sale falling outside the current valuation window (July 1, 2021, to June 30, 2024). Further, the Complainant indicated the mass appraisal system is not intended to be "anchored" to individual past sales, particularly those that are more than five years old.
- [34] The Complainant commented on the Respondent's comparison of 95 Anders Close, the Complainant stated this property is in a newer and more desirable neighbourhood. The Complainant indicated that it is a "stretch" to use this property as a comparable; the neighbourhood of Morrisroe is more of a comparable, and the Anders property should be disregarded.
- [35] The Complainant suggested that the Respondent put too much weight on the 2019 purchase price when it justified the current assessment value, even though property taxes are based on assessment value and not the purchase price.
- [36] The Complainant stated that the purchase price should serve as a historical reference and not as a "core driver" of assessment without the current valuation.

- [37] The Complainant confirmed that he refused a site inspection as requested by the Respondent, stating that he thought it would be inappropriate given that he was appealing the Respondent's decision. However, once the proceedings are completed, he would allow for an inspection.
- [38] The Complainant stated that there is not enough information to justify the value of \$435,000 and is requesting a decrease of 7% to be in line with neighbouring property assessment values. Further, the Complainant stated there is a lack of criteria as to why the renovations in his home are superior.

Position of the Respondent

- [39] The Respondent outlined a detailed 46-page submission (Exhibit R1), supporting the assessment value of \$435,000.
- [40] The Respondent stated that residential sales are trending upwards and the real estate market is experiencing a surge. The Respondent stated that in recent months there has been a slight cooling trend, but prices for detached homes remain strong, which suggests a healthy market.
- [41] The Respondent reviewed a chart indicating the Historic Trend 2020 to 2025, which suggests the average home increase comes from the graph of sales and prices; the average increase of homes this year is 9.95%. Furthermore, without a home inspection, the valuation may rely on outdated, incorrect assumptions.
- [42] The Respondent pointed out an analysis of comparable properties and stated the Complainant's property is on the higher end of the comparable properties, which is due to the higher-end characteristics of the Complainant's home.
- [43] The Respondent pointed out that it is the assessor's duty, as stated in the MGA and applicable Regulations, to value property in a fair and equitable manner using mass appraisal valuation techniques.
- [44] The Respondent reviewed a chart titled Sales Analysis within the Valuation period of the Complainant's property, stating that time adjustments are made to July 1, 2024. The further away from this time period, the larger the adjustment would be.
- [45] The Respondent then reviewed a Sales Analysis within the valuation period of the Complainant's home. The houses featured in the analysis ranged between 789 sq. ft. and 1,758 sq. ft. and sold from \$208,000 to \$525,000. On average these properties featured a detached garage, developed basement, and were estimated to be in similar condition to the subject. The Respondent stated that the information in Appendix 2 supports the renovation difference.
- [46] The Respondent outlined a sales comparison analysis of four properties ranging from \$410,300 to \$545,100. The most comparable property was 95 Anders Close, which is similar in age, size, and design. All four comparables feature the same building type, have developed basements, a garage, and are either attached or detached, with two attached and two detached units, and are located in similar neighbourhoods, in close proximity to the subject property.
- [47] In response to questions, the Respondent provided the following information:

- MLS listing to support the condition and the original sale price of the subject property, which was stripped down to studs at this time (Exhibit R1, pg. 11).
- MLS listing for the subject property after the renovations (Exhibit R1, pg. 12).
- Photos of the subject property and the level of the higher-end renovations (Exhibit R1, pg. 13).
- A graph used to show that the subject is assessed fairly and equitably, information from July 1, 2024 MLS listings (Exhibit R1, pg.11).
- Sales analysis within the valuation year, (Exhibit R1, pg. 17) contains any properties that have features similar to the subject property. The subject property's renovations are superior and higher than average. The comparative properties on this page account for variables in regard to the variables of each of the sales that may be better or worse than the subject property.
- Under the Sales Comparison Analysis the notes indicate there is a deck at the back of the subject properties house. This was an error, and the deck was not included in the valuation (Exhibit R1, pg. 20). In the summary of comparison chart (Exhibit R1, pg. 21) for the comparable properties; not each of the homes had site inspections, but similar to the subject property, a review was performed from MLS listings. Those homes with renovations reduce the depreciation of a home. Further, the selling price of one property can be influenced by a range of factors, which is why the Respondent uses all sales of similar properties in determining assessment values.

- [48] The Respondent stated that it does not have a list of criteria that it would use to sell a home at a higher value, rather it stratifies homes based on age, floor and design. It also relies on the final sale price of the homes.
- [49] Further, the Respondent states the purchase price of the subject home is irrelevant as it is dated 2019 which is outside the parameters of the timeline typically used. The Board found the comparable properties were accurate representations of assessment value in comparison to the subject property.
- [50] The Respondent stated that the renovations of the subject home were not verified, the Complainant was offered an inspection but refused access. Therefore, the Respondent had to use the MLS sale, MLS picture and the request for information ("RFI"), which was completed by the Complainant.
- [51] The Respondent noted, the comparable home, 95 Anders Close, was not the lake portion but the older section of Anders. Further stating, the subject property and the Anders home are 3 blocks apart, separated by 32nd Street.
- [52] The Respondent emphasized that the subject property is assessed as one of the higher-valued homes in the neighbourhood due to extensive renovations. The Respondent therefore requested the Board confirm the subject property's assessment based on the information provided, stating that not doing so would create an inequity.

BOARD FINDINGS and DECISION

- [53] The Complainant believes the current assessed value of \$435,000 of his property is higher than that of comparable properties shared by the assessor. Therefore, he is requesting a reduction of 7% from this year's property assessment.
- [54] The Respondent stated that the property assessment of \$435,000 has been processed in an equal and fair manner. The Respondent indicated that the subject property has been accurately assessed using the mass appraisal in accordance with applicable Alberta legislation and regulations.
- [55] The Board notes the assessment was prepared in accordance with the MGA, the *Matters Relating to Assessment and Taxation Regulation 2018* A.R. 203/2017 ("MRAT"), and mass appraisal standards. Noting the valuation date is July 1, 2024, and reflects physical conditions as of December 31, 2024.
- [56] The Board's findings focused solely on the assessment value of the subject property. During the hearing, it was confirmed that this complaint is only related to the assessment.
- [57] Further, the Board notes that while the Respondent is required to use mass appraisal methodology to prepare property assessments. However, once a complaint is filed on a property, the Board is not bound to the same methodology. The Board reviews the subject property on an individual basis with the evidence before it and makes adjustments that it determines to be fair and equitable.
- [58] As per the preliminary ruling, the Complainant's initial submission documents were excluded for failure to comply with MRAC disclosure requirements. Accordingly, the Board's decision is based solely on documents and evidence properly before it.
- [59] The Respondent provided a sample for a sale comparison analysis of similar properties that sold within the valuation period for the subjects' property assessment: 95 Anders Close, 6 Mackenzie Crescent, 2 Scott Street and 3314-42 Avenue. The Complainant indicated that the subject property increased significantly higher than the comparable properties that sold within the period for this assessment, as presented by the Respondent.
- [60] The Respondent applied mass appraisal techniques to determine the market value. The comparables (95 Anders Close, 6 Mackenzie Crescent, 2 Scott Street and 3314-42 Avenue) range from \$410,300 to \$545,000 in time-adjusted sales. The Board supports the assertion by the Respondent that the subject's valuation of \$435,000 falls well within this range and is aligned with similar properties.
- [61] The Respondent indicated that the most comparable property is 95 Anders Close, which is in a different neighbourhood, approximately three blocks away. The Complainant indicated this property is in a newer, more desirable neighbourhood, several blocks south of the subject property's neighbourhood of Morrisroe, making it an inappropriate comparable for fair evaluation. The Board accepts the fact that 95 Anders Close is the most comparable property given the similar features and close proximity to the subject property.
- [62] The Respondent stated that the Complainant misinterpreted the sales data provided in the sales comparison analysis; the assessor tried to use the averages of time-adjusted sales to compare to the adjusted assessment values.

- [63] The Respondent indicated that an inspection was requested due to the levels of renovations of the subject property. The Complainant argues that no inspection was conducted to verify the quality of the renovations. However, the Complainant confirmed that he refused the requested inspection given the pending appeal.
- [64] The Board accepts the Respondent's evidence that the subject property underwent significant renovations from 2016-2019 (Exhibit R1, pg. 10) in review of the permit information, MLS listing and photos, and the RFI responses.
- [65] The Complainant stated that the assessment report inaccurately represents the subject property had a backyard deck, bringing into question the accuracy of the data used by the Respondent. The Board notes the Respondent confirmed this was an error on the report and the backyard deck was not included in the valuation. Further, the backyard deck was not included in the MLS listing, photos or assessment summary and was not adjusted for in the sample of comparable sales. Therefore, the Board accepts that this was an error, and the deck was not included in the valuation.
- [66] Given the Board's earlier decision to exclude the Disputed Production from the record, the Board was left with the information contained in the initial complaint and the rebuttal. Therefore, the Board was left to determine if the Complainant has provided sufficient information to suggest the assessment is incorrect.
- [67] The Board determined the information left for consideration of the Board was limited to statements and opinions. The Board finds the Complainant failed to meet the burden of proof that the assessment was incorrect.
- [68] Based on the foregoing, the assessment is confirmed by the Board and will remain unchanged.

DECISION SUMMARY

- [69] The Board confirms the 2025 assessed value of the subject property located at 4 Mackenzie Crescent, Red Deer, at \$435,000.
- [70] Dated at the Central Alberta Regional Assessment Review Board, in the city of Red Deer, in the Province of Alberta this 25th 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.



L. Stubbard, 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	5
C.1	Complainant Rebuttal	2
R.1	Respondent Submissions	46

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.

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)

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.