



CENTRAL ALBERTA REGIONAL
**Assessment
Review Board**

Complaint ID 0262 2062
Roll No. 30002242390

LOCAL ASSESSMENT REVIEW BOARD DECISION
HEARING DATE: JUNE 3, 2025

PRESIDING OFFICER: C. NEITZ
BOARD MEMBER: R. IRWIN
BOARD MEMBER: K. SHANNON

BETWEEN:

BRAD BALON

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: 30002242390
MUNICIPAL ADDRESS: 14 COBB COURT, RED DEER, AB
ASSESSMENT AMOUNT: \$1,131,700

The complaint was heard by the Local Assessment Review Board. Both parties agreed to proceed by way of a written hearing to address the matters of the complaint. The hearing was conducted on 3rd day of June 2025, via video conferencing.

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".

Submitted On Behalf Of The Complainant: Brad Balon, Property Owner

Submitted On Behalf Of The Respondent: Revenue & Assessment Services, City Of Red Deer

DECISION: For the reasons outlined herein no change is required to the assessed value.

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 was built in 2017 and is a two storey with a developed basement, a front attached garage and side garage. The property was assessed at \$1,131,700 for 2025 tax year. The previous year, the property was assessed at \$1,050,000. The Complainant is asking for assessed price of \$1,024,600 for the 2025 tax year.

PRELIMINARY MATTERS

- [3] The Presiding Officer confirmed that no Board Member raised any conflicts of interest with regard to matters before them.
- [4] Neither party raised any objection to the panel hearing the complaint.
- [5] It was pointed out that the exhibit A1 Hearing Materials, pg. 2 was incorrectly labeled with a Hearing Date of June 9, 2025. This was adjusted to the correct Hearing Date of June 3, 2025.
- [6] No additional preliminary or procedural matters were raised by any party. Both parties indicated that they were prepared to proceed with the complaints.

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

- [7] The Complainant stated that their assessed value increased of \$81,700 from previous year’s assessment. They stated that this increase is not reflective of market conditions within their neighbourhood.
- [8] In 2024 assessment the property was initially assessed at \$1,081,000. Following an informal challenge, the Respondent reduced the assessment to \$1,050,000. The Complainant, however, remained dissatisfied with this reduction but was unable to proceed with a formal appeal due to time constraints. Once the property notice was provided for this year, the Complainant reached out to the Respondent for clarification but was provided no information to determine how the assessment was calculated.
- [9] The Complainant provided information about multiple properties, Exhibit C1 pg. 1 – 2, where he determined the best comparable to the subject property is 13 Cobb Court. Both properties have large pie lots, while noting that the subject has a larger lot overall.
- [10] The Complainant believes the Respondents indication that a larger lot represents a justification for inflated valuation. The Complainant provided a chart Exhibit C1 pg. 4 of historical lot prices in Clearview Ridge to demonstrate the initial pricing differences were marginal across the subdivision. Further, he explained that the difference in size of the lot is not something that would cause a major

increase in value. showing the original (2014) lot prices at time of sale, 13 Cobb Court sold for \$285,900 and the subject sold for \$289,900.

- [11] The Complainant stated that when he spoke with the Respondent, he was advised of the analysis used for 13 Cobb Court and the subject property. The Respondent indicated the subject property is approximately 180 sq. Ft. larger and has a larger garage. They also noted 13 Cobb Court sold after the July, 2024 therefore would not be used as this is after the deadline for the assessment valuation for this period. The Complainant argued that the cutoff date should not preclude its consideration during this appeal process, as 13 Cobb Court is the most accurate comparable to the subject property. Even if excluded from the valuation process, the Complainant maintained the assessment for 13 Cobb Court -being \$107,000 lower than that of the subject property should still be considered in evaluation in fairness.
- [12] The Complainant stated that 13 Cobb Close has a fully enclosed three season sunroom with a floor to ceiling rock fireplace, noting that this is a substantial upgrade and should account for any differences the Respondent is taking into account for the subject property.
- [13] The Complainant believes that the best indicator of value for his property is 13 Cobb Court which sold for \$990,000, Exhibit C1 pg. 1. The Complainant stated that the value of 13 Cobb Court represents the fair and appropriate market value further stating this would ensure consistency throughout the neighbourhood of Clearview Ridge.
- [14] In response to the Respondents dismissal of 13 Cobb Court, the Complainant believes the relevance of this property remains paramount. This comparable is located on the same street, with a nearly identical floor plan with the same builder and possesses remarkable similar features. The Complainant noted that the assessed value for 13 Cobb Court \$1,024,600 is still higher than sale price as corrected for 13 Cobb Court in Exhibit R1 pg. 9 \$995,000. This discrepancy supports a deeper inconsistency in the Respondents Assessment methodology. The Complainant requested the Board to reduce the assessment of the subject property to that of 13 Cobb Court.
- [15] The Complainant explained that the subject property is assessed \$107,100 higher than 13 Cobb Court, despite its comparability. Unreasonable to suggest that a sale slightly past the cutoff date offers no value for market evidence. 13 Cobb Court should be considered a benchmark simply to suggest that the subject property is over assessed.
- [16] Further, the other properties provided for consideration (9 Cobb Court and 17 Cobb Court), on the same street as the subject, similar build and neighbouring profile are assessed far lower than the subject. Supporting the Complainants position that the subject's assessment value is disproportionately higher than others in the same neighbourhood.
- [17] In response to the Respondents analysis of the Complainants comparables, it was noted that there was a lack of quantifiable or market data to support that the additional Garage Bay would contribute significantly to value. The Complainant acknowledged that a cost estimate was not provided for the Boards review however asserted that the burden to justify the impact of this feature falls with the Respondent.
- [18] The Complainant provided an analysis of the Respondents comparables, in his review noted the Respondent failed to provide any comparables from the subject property's neighbourhood of

Clearview Ridge, instead provided comparables of homes surrounded by million-dollar homes, further inflating the perceived value.

- [19] Finally, the Complainant provided information regarding the multiple housing types for the neighbourhood of Clearview Ridge, which contains some high-end homes with a substantial number of lower-cost homes. With this range of housing the value of the higher-end homes may be negatively influenced, compared to other areas where several homes exceed the million-dollar mark.
- [20] The Complainant identified his 21 years of experience as a Real Estate Lawyer; he has a direct view into local market trends. The Complainant believes growth in the luxury market (\$900,000+) has not seen equivalent growth compared to mid-range homes (\$200,000 - \$500,000).
- [21] The Complainant highlighted the imbalance of the appeal process stating that the Respondent is given several weeks to respond while the Complainant is afforded only 6 days to respond with no access to MLS or property records and face a systemic disadvantage.
- [22] The Complainant identified the Respondents lack of transparency impacted his ability to understand and appeal his assessment. The Complainant urged the Board to consider the proportionality and fairness in the process and emphasized the need for procedural reforms to ensure equitable access to justice to property owners. In closing, the Complainant believes the assessment of the subject property is inconsistent with nearby homes.

Position of the Respondent

- [23] The Respondent stated that the subject property is assessed fairly with evidence-based valuation in accordance with the MGA and MRAT. The current assessment of \$1 131 700 of the subject property reflects the results of both an interior and exterior inspection conducted in 2024 as well as the completed Assessment Request for Information Form that was submitted by the Complainant. The Respondent confirms the assessment records are current, complete and accurate, therefore, the Respondent submits the current assessment is fair, requesting the Board to confirm the assessment as it stands.
- [24] In response to the Complainant, the Respondent provided the following information:
 - I. Comparable 13 Cobb Court, Sale price of \$995,000. Land Title Transfer Date occurred after the valuation date, could be used for next years assessment cycle, considered post facto. Land Titles Transfer information, Exhibit R1 pg. 35 – 39.
 - II. Due to irregularities of an atypical transaction pattern including a drastic price drop shortly before the sale of 13 Cobb Court, this sale requires additional review before including in next years assessment cycle. The assessment is within 3% of the sale price which falls within legislated tolerance parameters as per MRAT which is an indicator that the property type in this area is not over assessed.
 - III. Complainant Assessment Comparable Table, Exhibit R1 pg. 10 and analysis Exhibit R1 pg. 10 - 11 breaks down the information for each of the Complainants comparable properties

and identifies a range of assessed values from \$750,200 (9 Cobb Court) to the subject at \$1,131,700 (14 Cobb Court). The key difference between 9 Cobb Court and the subject property is that the subject property is newer construction, superior build quality, larger floor area, bigger lot size, more basement finish, and expanded garage, that equated to a higher assessed value for the subject property.

- IV. Support for ongoing effort by the Respondent to maintain transparency and provided explanation about the assessment process. The Complainant's requested value is lower than the original purchase in 2021, this does not reflect the 20–25% market appreciation in Red Deer over the same period, Exhibit R1 pg. 15.
 - V. Use of sale only in Clearview Ridge (the subject's neighbourhood), the Respondent stated the subject properties assessed value is reasonable, equitable and reflects current market trends both within the Clearview neighbourhood and across the broader Red Deer market.
 - VI. Exhibit C1 pg. 4 provides no critical context, do not name the purchasers involved in each transaction and reflect lot sales that occurred over a decade ago. They said no insight was given into potential bulk pricing discounts and rebates or negotiated terms that often occur in builder-developer relationships, especially when multiple lots are purchased in a package deal. The Respondent added this is not unusual and that discrepancies are typical.
 - VII. The Respondent attempted to maintain transparency and provide detailed explanations throughout the assessment process, Exhibit R1 pg. 11 – 12.
- [25] The Respondent said they conducted a comprehensive location adjustment study that accounts for factors such as desirability of the area, and lot influences such as proximity to green space and traffic impact, etc.
- [26] The Respondent brought forward a sales comparison table showing Market Modified Cost Approach, and 3 comparisons were brought forward; Sale #1 - 23 Trump Place, Sale #2 - 140 Larratt Close, and Sale #3 - 129 Emerald Drive. Sale #2 – 140 Larratt Close carried the most weight with the Respondent due to its alignment with the subject property in terms of design, year built, custom quality, and total living area.
- [27] The Respondent provided charts for comparison, Exhibit R1 pg. 21 and 23. In summary, the Respondent noted that the average adjusted value of the top three comparables is \$1,216,367, which closely aligns with the subject property's assessed value of \$1,131,700.
- [28] The Respondent requested the Board confirm the current assessed value of \$1,131,700.

BOARD FINDINGS and DECISION

- [29] In review of the materials and presentations from the Complainant and the Respondent the Board narrowed its view to focus on the current assessment in relation to the comparable properties and assessments.

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- [30] The Board first turned its attention to the site inspections, both external and internal that took place in 2024 as well the completed Assessment Request for Information Form. While the Complainant indicated that reduction to the prior year's assessment took place, the Respondent stated the current assessment reflects verified records based on those inspections and information in the completed form. The Board was not provided with additional information to confirm any additional adjustments were necessary for this year, the Board accepted the assessment records are current, complete and accurate for the subject property.
- [31] The Complainant brought forward 13 Cobb Court as its best comparable, as it is located on the same street, was constructed using a nearly identical floor plan, by the same builder, and possesses remarkably similar features. 13 Cobb Court is assessed at \$1,024,600 with the subject properties assessed \$107,100 higher. The Complainant believes strongly that this is the best comparable and should be considered by the Board even with the acknowledgement that the sale occurred outside the valuation date.
- [32] The Respondent provided information to dispute the sale of 13 Cobb Court, while not only outside the valuation date the sale has a few inconsistencies that may determine the sale is not eligible for use in the assessment cycle and more information will be required to make this determination. Even though, the current value will still put the range within 3% of the sale price, therefore still acceptable practice.
- [33] The Board accepts the Respondents position that the sale of 13 Cobb Court took place after the valuation date. The Board reviewed MRAT section 6 and determined that the valuation date must be an estimate of value of a property on July 1st of the assessment year.
- [34] Further, the Board accepts the Respondents argument as to why 13 Cobb Court requires additional analysis before inclusion into the assessment valuation model due to the irregularities with respect to the unusual sales pattern for this sale, Exhibit R1 pg. 12. Therefore, the Board place no weight on the sale of 13 Cobb Court.
- [35] The Board turned its attention to Exhibit C1 pg. 4 for lot prices from May 30, 2014 and determined the information was outdated, with many outstanding factors not supported. The Board gives little to no weight to this chart.
- [36] The Board review Exhibit R1 pg. 22 – 23, demonstration of Equity by the Respondent, within the subject properties' neighbourhood and throughout Red Deer (city wide) R1. Pg. 24 – 26.
- [37] The Respondent explained the use of properties within and outside the neighbourhood of the subject, stating they included size, basement development, garage area, lot dimensions, and location features (e.g., cul-de-sac influence) and all have been appropriately considered in the assessment.
- [38] While the Complainant objected to the use of comparables outside of the subject's neighbourhood, no evidence to support this request was provided. Therefore, the Board accepts the use of those comparables. Further, the Board accepts the Respondents argument that the subject property aligns with the range of properties outlined.

- [39] In review of the Complainants question of the Respondents transparency and appeal process, the Board notes that this is outside the scope of the Board's jurisdiction. The mandate of the Board is set out in the MGA, and the Board can only address those matters within its authority to determine.
- [40] Given the above findings the Board was left with no evidence to support a change to the assessed value in accordance with its legislation, must not alter an assessment value that is fair and equitable.

DECISION SUMMARY

- [41] The Board finds that no change to the assessment is required.
- [42] Dated at the Central Alberta Regional Assessment Review Board, in the city of Red Deer, in the Province of Alberta this 26th 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

C. Neitz, 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 Submissions	10
C.2	Complainant Rebuttal	2
R.1	Respondent Submission	30
A.1	Hearing Materials	5

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.