



CENTRAL ALBERTA REGIONAL
**Assessment
Review Board**

Complaint ID 0262 2057
Roll No. 30002311860

LOCAL ASSESSMENT REVIEW BOARD DECISION
HEARING DATE: MAY 29, 2025

PRESIDING OFFICER: A TARNOCZI
BOARD MEMBER: D DEY
BOARD MEMBER: C NEITZ

BETWEEN:

Ivuoma Regina Orji & Idehen Caesar Ogbebor

Complainant

-and-

Revenue & 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: 30002311860
MUNICIPAL ADDRESS: 33 TOAL CLOSE RED DEER, AB T4P 0W6
ASSESSMENT AMOUNT: \$658,400

The complaint was heard by the Local Assessment Review Board on the 29th day of May 2025 and continued on 2nd 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".

Appeared on behalf of the Complainant: Ivuoma Regina Orji & Idehen Caesar Ogbebor

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

DECISION: The assessed value of the subject property is changed to \$643,900.

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 a 2,135 ft² two-storey single family home with a finished basement and a 484 ft² front attached garage on a 5,325 ft² lot located in Timber Ridge neighborhood in Northeast Red Deer.

PRELIMINARY MATTERS

- [3] The Presiding Officer confirmed that no Board Member raised any conflicts of interest regarding matters before them.
- [4] Neither party raised any objection to the panel hearing the complaint.
- [5] 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**

- [6] The Complainant presented a table of 10 nearby properties, listing house sizes ranging from 1,713 ft² to 2,194 ft², construction years from 2015 to 2024, and sale prices from \$518,000 to \$696,981, including sale dates. They argued that this data demonstrated the subject property was assessed too high.
- [7] The Complainant identified 23 Thayer Close as the most comparable property, noting it had the same size and floor plan as the subject property but superior finishes and a basement entrance, making it more valuable. Despite this, it sold for only \$518,000 on May 16, 2024, significantly less than the assessed value of the subject property.
- [8] The Complainant stated that their property was unique, lacking many of the upgrades present in the comparables, such as in-floor heating, separate basement entries, larger garages, and higher-end finishes. They argued that the Respondent did not adequately adjust the assessment to reflect these differences.
- [9] The Complainant further claimed that the \$625,000 purchase price of the subject property in June 2024 was not representative of market value, as their family was in urgent need of housing at the time. The Complainant asserted the home may have sold for a different price under typical market conditions.
- [10] The Complainant argued that the mass appraisal approach failed to account for specific characteristics of their property, resulting in an inequitable assessment.

- [11] The Complainant requested the property assessment be changed to \$610,000.

Position of the Respondent

- [12] The Respondent determined that, based on communication with the Complainant, some of the characteristics of the subject property (basement development, floor area, finishing and other features) required updating. Based on this updating the Respondent recommended changing the assessed value of the subject property to \$643,900. The Respondent then proceeded to argue for this adjusted assessment.
- [13] The Respondent presented the same 10 comparables included by the Complainant but supplemented them with additional attributes—such as design type, build quality, interior finish quality, lot size, garage size, and time-adjusted sale prices. The Respondent also noted inconsistencies between the year-built dates cited by the Complainant and those recorded by the City of Red Deer. Specifically, the Respondent indicated that for 21 Toal Close, 153 Thompson Cr and 14 Trebble Close that the year built was 2023 rather than 2024 listed in the Complainant's table. The Respondent emphasized that multiple factors must be considered when comparing properties and that the Complainant's analysis lacked the detail necessary for valid comparisons.
- [14] The Respondent presented three properties in a Resales Market Analysis table along with a graph showing MLS Median Closing House prices to show the data the City of Red Deer used to determine the time adjusted sales price.
- [15] The Respondent provided a sale comparison table consisting of three properties and the subject property. The table compared the properties based on design, year built, build quality, interior finish quality, floor area, lot size, basement area, garage (location and size), sales price and time adjusted sales price. The Respondent identifies 6 Travis Close, with a time adjusted sales price of \$690, 900, as the most comparable property.
- [16] The Respondent supplemented the table with photographs from MLS listings showing the lot, the interior finishes and the exterior finishes of each of the properties in the table.
- [17] The Respondent argued that the subject property has been analyzed using a market modified cost approach that provides a fair and equitable assessment by adjusting for key property characteristics such as location, land influence (cul de sac and green space), building size, land area, basement finish, effective year built, and overall condition.
- [18] The Respondent provided a table that summarized MLS listings for all four properties that were attached as appendices. The listing for the subject property showing an asking price of \$639,900 and a selling price of \$625,000 or 97.7% of the asking price. The other three property sales prices ranged from 92.7% to 98.8% of the asking price, with two of the three having a greater percentage than the subject property.
- [19] The Respondent presented a table of three properties and the subject property to demonstrate the equity of assessments. The table compared the properties based on design, build year, build quality, interior finish quality, floor area, lot size, basement area, garage (location and size) along with their

assessed value. The respondent identified the best comparable as 5 Trebble Close with an assessed value of \$641,600.

BOARD FINDINGS and DECISION

- [20] The Board noted that the Respondent had made changes to the subject property assessment based on information gathered from the Complainant. The resulting revised assessment was included in the Respondent's evidence package along with the original assessment. The Respondent clarified that the Assessment Summary (with an assessment total of \$643,900) that included the phrase "Revised on 05/14/2025" was not sent to the Complainant as Amended Assessment Notice. The Complainant confirmed the same. Both the Respondent and the Complainant concurred that the Assessment Notice was based on the property assessment of \$658,400.
- [21] The Board applied section MGA 305(1) (b) and determined that since an amended assessment notice was not sent to the Complainant MGA 305(1.2) does not apply. Therefore, the complaint remains valid and was not dismissed.
- [22] The Board examined both the Complainant's and the Respondent's sales data. The Board noted that the Complainant's table only listed house size and year build with the sales data. Although the Complainant asserted that some of the houses in the table had superior finishes, basement heating, basement entrances and other upgrades, no supporting evidence was provided to confirm this.
- [23] The Respondent's comparison table consisted of a greater number of points of comparison and photographic evidence to support variables being compared, like quality differences.
- [24] Based on these differences the Board assigned little weight on the Complainant's sales comparable and a greater weight on those of the Respondent. As a result, the Board concluded that based on sales data an assessment value of \$643,900 is reasonable.
- [25] The Board reviewed the Complainant's argument that subject property was unique. The Complainant provided personal observation, assumptions and hearsay evidence that other properties had superior finishes. The Complainant could not confirm which specific homes had which specific upgrades, nor did they provide any evidence showing how those features affected sale prices.
- [26] The Respondent did show some property characteristics (such as build quality and interior finish quality) and did reference a Market Modified Cost Approach that listed several property characteristics. The Respondent did not show how those key characteristics affected a property's assessed value.
- [27] Given the lack of detail and supporting evidence, the Board found no grounds to conclude the Complainant's assertion that the subject property had unique features that required an adjustment in assessed value. As a result, the Board determined not to change the assessment based on alleged unique features of the subject property.
- [28] The Complainant did not provide any evidence to support the claim that purchase price of the subject property did not represent the market price.

- [29] The Respondent provided MLS Listing data for the subject property and three other similar properties showing the asking and selling price. The subject property's selling price to asking price ratio was similar to the other properties.
- [30] Based on the evidence provided the Board concluded that the purchase price the Complainant paid for the home represented market value at the time. As a result, the Board did not change the assessment based on the purchase price of the subject property.
- [31] The Complainant provided no evidence that the mass appraisal methodology employed by the City of Red Deer produced an inequitable assessment.
- [32] The Respondent provided three comparable properties to demonstrate assessment equity. The Respondent's best comparable has an assessed value of \$641,600.
- [33] The Board had no evidence to conclude the subject property was not equitable to the comparable the Respondent identified as their best. The Board considered the Respondent's requested assessment amount and was persuaded by the evidence presented by the Respondent. As a result, the Board concluded that based on equity the Respondent's requested assessment value of \$643,900 is equitable.
- [34] In summary, based on sales and equity comparables, the Board determined that the subject property is fairly and equitably assessed at \$643,900.

DECISION SUMMARY

- [35] The Board finds that the original assessed value is CHANGED to \$643,900.
- [36] 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
A. Tarnoczi, 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	6
C.1	Complainant Submissions	2
C.2	Complainant Rebuttal	3
R.1	Respondent Submissions	47

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.

Correction of roll

305(1) If it is discovered that there is an error, omission or misdescription in any of the information shown on the assessment roll,

- (a) the assessor may correct the assessment roll for the current year only, and
- (b) on correcting the roll, an amended assessment notice must be prepared and sent to the assessed person.

(1.1) Where an assessor corrects the assessment roll in respect of an assessment about which a complaint has been made, the assessor must send to the assessment review board or the Land and Property Rights Tribunal, as the case may be, no later than the time required by the regulations,

- (a) a copy of the amended assessment notice, and
- (b) a statement containing the following information:
- (i) the reason for which the assessment roll was corrected;
- (ii) what correction was made;
- (iii) how the correction affected the amount of the assessment.

(1.2) Where the assessor sends a copy of an amended assessment notice under subsection (1.1) before the date of the hearing in respect of the complaint,

- (a) the complaint is cancelled,

- (b) the complainant's complaint fees must be returned, and
- (c) the complainant has a new right of complaint in respect of the amended assessment notice.

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.