

IN THE MATTER OF A COMPLAINT filed with the Town of Okotoks Local Assessment Review Board (LARB) pursuant to the *Municipal Government Act*, Chapter M-26.1, Section 460.

BETWEEN:

[REDACTED] - Complainant

- and -

The Town of Okotoks - Respondent

BEFORE:

Dierdre Mullen, Presiding Officer
William (Bill) Gray, Member
Laurie Rennich, Member

These are complaints to the Town of Okotoks Local Assessment Review Board (LARB) in respect of property assessments prepared by the Assessor of the Town of Okotoks and entered in the 2017 Assessment Roll as follows:

Roll Number	Address	Assessment
0069790	42 Crystal Shores Heights	\$423,000

- 1) This complaint was heard on the 30th day of May, 2018 at the Town of Okotoks Council Chamber at 5 Elizabeth Street, Okotoks, Alberta.
- 2) Appearing on behalf of the Complainant:
 - [REDACTED]
- 3) Appearing on behalf of the Respondent:
 - Carmel Staley, Assessor
 - Nathan Hanberry, Assessor (observant)
- 4) Attending for the Assessment Review Board (ARB):
 - Patty Huber

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Respondent:

- 12) The Respondent provided a ten-page document which included a summary of the subject property, photographs of the subject and the neighbourhood, mapping details, as well a chart of 14 sales comparables used in its determination of assessed values. All properties in the chart are in the same neighbourhood. The sales dates range from 7/21/2015 to 6/15/2017. The Respondent, upon questioning, stated that it uses three years sales data to calculate assessed values in mass appraisal. The chart calculated:
 - a) minimum sales price of \$238 per SF, maximum sales price of \$299 per SF, and median sales price of \$251 per SF;
 - b) The time adjusted sales prices are: minimum \$233 per SF, maximum \$317 per SF, and median \$251 per SF. The median sales price is the used to calculate assessed values.
- 13) The Respondent argued that it is mandated to use Assessment to Sales Ratio (ASR) to confirm that the sales used in the calculations fall within the 0.95% to 1.05% range. The sales chart confirms this showing all but two fall within this range. The chart has ASR between 0.89% and 1.08% with the median at 1.00%.
- 14) The Respondent argued that the sales data provided by the Complainant in C2 are all post-facto July 1, 2017 and cannot be used in the calculation of assessed value. The Respondent noted that although two sales fall within the valuation period, they are too close to the valuation date of July 1 to have been included, but would be included in the next valuation period.
- 15) The Respondent did an analysis of eight of the 18 properties in C1, stating that they are the "Complainants comparable addresses within our analysis period", and determined that the minimum sales price of \$216 per SF, maximum sales price of \$312 per SF, and median price per SF of \$271. The results are in-line with the subjects' assessment and in fact, the median price of this sample is \$271 per SF while the Complainants property is \$251 per SF.
- 16) The Respondent stated that the economic conditions have not changed during the valuation period.

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Findings and Reasons:

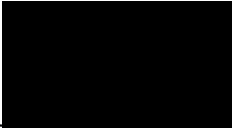
- 17) The Panel found the Complainant's evidence in C1 to be incomplete and although the Complainant did provide dates for three of the sales, it could not determine sale dates for the other properties. The three properties identified by sold date, sold for \$425,000, \$416,500 and \$413,000 and are also within the valuation period, and were similar in size and style to the subject. The Panel accepted that these three properties were good comparisons for the subject property and also close to the assessed value of the subject.
- 18) Of the sales provided by the Complainant in C2, all but two are post-facto. Those two properties that fell within the valuation period were similar in size and style but fell outside of the neighbourhood of the subject property.
- 19) Those two properties in C2 had per foot sales prices of \$230.98 and \$237.62 and are close to the \$251 median price of the assessment sample, but because they were not in the subject's neighbourhood, the Panel did not put much weight on the per SF sales prices to determine a new assessed value.
- 20) The panel found that the Respondent's use of ASR in a sampling of 14 properties is too insignificant and did not rely on that to make its determination.
- 21) The Respondent's sales comparison chart showing that the properties used to determine the assessed value were all in the subject's neighbourhood, had similar YOC, were all the same style and were similar in square footage to the subject property. This was convincing evidence that the subject property is fairly assessed.

Panel's Decision:

- 22) The Panel will not change the assessment of the subject property.

It is so ordered.

Dated at the Town of Okotoks in the Province of Alberta, this 5th day of June, 2018.



Dierdre Mullen
Presiding Officer

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

NO.	ITEM
C1.	Complainant's submission
C2.	Complainant's submission
R1.	Respondent's submission

An application for Judicial Review may be made to the Court of Queen's Bench with respect to a decision of an assessment review board.

An application for Judicial Review must be filed with the Court of Queen's Bench and served not more than 60 days after the date of the decision, and notice of the application must be given to

- (a) the assessment review board*
- (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) the municipality, and*
- (a) the Minister.*