

IN THE MATTER OF A COMPLAINT filed with the Town of Okotoks Local Assessment Review Board (LARB) pursuant to the *Municipal Government Act (MGA)*, Revised Statutes of Alberta 2000, Chapter M-26, Section 460.

BETWEEN:

Ehab Hamdan - Complainant

- and -

The Town of Okotoks - Respondent

BEFORE:

Ryan Nix, Presiding Officer
Laura Dunbar-Proctor, Member
Richard Kobetitch, Member

This is a complaint to the Town of Okotoks Local Assessment Review Board (LARB) in respect of a property assessment prepared by the Assessor of the Town of Okotoks and entered in the 2024 Assessment Roll as follows:

Roll Number	Address	Assessment
0033460	3 Crystalridge Way	\$677,000

This complaint was heard on the 13th day of May 2025 at the Town of Okotoks Municipal Centre Council Chamber at 5 Elizabeth Street, Okotoks, Alberta.

Appearing on behalf of the Complainant:

- Ehab Hamdan, Property Owner

Appearing on behalf of the Respondent:

- Nathan Hanberry, Assessor
- Carmel Staley, Assessor

Attending for the Assessment Review Board (ARB):

- Olga Kanevskyi, Clerk

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Preliminary Matters

[1] There were no preliminary matters raised.

Property Description and Background

[2] The subject property is located at 3 Crystalridge Way in Okotoks, AB and is a residential 2-storey home with developed basement and attached garage. The improved area on record is 2097 SF above grade and 601 SF developed basement area. The year of construction is 1996. It is currently assessed by The Town of Okotoks at \$677,000. The requested value on the assessment complaint form is \$540,000.

Issues

[3] Is the assessment too high? Does the condition of the home warrant a reduction in assessment value?

Board's Findings in Respect of Each Matter or Issue

[4] The Board confirms the assessed value at \$677,000.

Summary of Positions

Complainant:

[5] As a family of 5 with three young children, the Complainant explained that they have done their best to maintain their home but have not completed any major renovations or upgrades since purchasing the property, and significant wear and tear has occurred. The Complainant has noted that the assessment is too high on several grounds including the following:

1. Flooring (vinyl and carpet) throughout the home is worn and in need of full replacement.
2. Walls have multiple holes, scratches, and damaged drywall.
3. All windows are original and leak air significantly - especially in the winter, causing noticeable cold drafts.
4. Poly-B piping remains throughout the home, posing potential long-term risk.
5. Kitchen cabinets, bathroom fixtures, and lighting are outdated and worn.
6. The basement and garage remain unfinished.
7. Exterior issues include damaged siding, worn-out eavestroughs, an unmaintained yard, and poor grading.

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8. Interior doors and handles are in poor working condition.

[6] The Complainant mentioned that many of the homes in the area that have sold recently were renovated and well-maintained, and are an unfair comparison to their property.

[7] The Complainant provided evidence including photos of the current condition of the property showing the windows, flooring, wall damage, unfinished portion of the basement, and other concerns. An estimate for replacement windows was also included.

[8] No rebuttal evidence was submitted to the Board by the Complainant.

Respondent:

[9] The Respondent submitted an assessment brief for the property detailing the property characteristics on file used to prepare the assessment, street and aerial views of the property, photos of the property from the MLS listing in 2021, photos of the finished portion of the basement, garage, and yard, pertinent legislation pertaining to the assessment, and a list of sales comparables for similar properties in the area.

Findings and Reasons

[10] The Board finds that there was insufficient evidence to demonstrate that the condition of the property would significantly affect the assessment value of the home.

[11] While the Board did acknowledge the evidence of wear and tear and condition of the original windows, the 2010 Alberta Queen's Bench case of Manyluk v Alberta (2010 ABQB 194) determined that deferred maintenance is a choice made by the homeowner which cannot lead to a reduction in assessment. Assessments are prepared with the assumption that average maintenance is performed by an average owner. The issues described by the Complainant concerning the condition of their property appear to be conditions that can be remedied by normal upkeep and maintenance.

[12] The Board looked to the sales comparables provided by the Respondent and found that the properties listed were of similar type, size, and characteristics. and while the subject property does have a 1.03 time-adjusted sales to assessment ratio, this is within the Mass Appraisal quality guidelines of being between 0.95 and 1.05.

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Board's Decision

[13] The Board confirms the assessed value at \$677,000.

It is so ordered.

Dated at the Town of Okotoks in the Province of Alberta this 10th day of June 2025.



Ryan Nix
Presiding Officer

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

NO.	ITEM
C-1	Complainant's Disclosure Email (2 pages)
C-2	Complainant's Disclosure Attachment 1 of 2 - Quote (17 pages)
C-3	Complainant's Disclosure Attachment 2 of 2 - Photos (76 photos)
R-1	Respondent's Disclosure Email (1 page)
R-2	Respondent's Disclosure Attachment 1 of 1 (16 pages)

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

An application for Judicial Review must be filed with the Court of King'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*
- (e) the Minister.*