

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-26.1, Section 460.

BETWEEN:

Crystal Bedier - 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
0061010	9 Crystal Shores Point	\$1,473,000

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:

- Crystal Bedier, 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 9 Crystal Ridge Point in Okotoks, AB and is a residential 2-storey home with a developed basement and attached garage, backing on to the lake. The improved area on record is 2714 SF above grade and 900 SF developed basement area. The year of construction is 2003. It is currently assessed by The Town of Okotoks at \$1,473,000. The requested value on the assessment complaint form is \$1,139,875.

Issues

[3] Is the assessment of the property correct? Does the reported damage to the property indicate a reduction in the assessment is required?

Board's Findings in Respect of Each Matter or Issue

[4] The Board adjusts the assessment to the time-adjusted sale price of \$1,161,800.

Summary of Positions

Complainant:

[5] The Complainant mentioned they purchased the home in 2022 at \$321,000 below the average sale price of other homes backing on to the lake due to the condition of the property, it being one of the worst locations on the lake, and north-facing backyard. Issues contributing to the lower value include the following:

1. Extensive damage in the backyard including water damage have resulted in masonry falling off the home, patio being heaved and destroyed, extensive stucco damage, deck and post damage. The deck and ground both have grades that are towards the home and continue to cause more water damage. Walls may need to be taken apart inside the home to attempt to mitigate the water damage.
2. Property drainage needs to be completely redone as it is graded towards home due to previous homeowner landscaping, and drainage is so poor coming off the house that buckets are currently used to divert water.
3. The entire home is original from builder including interior furnishings, furnaces, hot water tank, roof, windows, doors, etc.

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4. The master bathroom can't be fully used as it leaks into the laundry room below. The kitchen leaked water into basement (fixed now).
5. Hardwood on the main floor is irreparably damaged. The upstairs carpet is irreparably damaged.
6. Broken air conditioners, issue with furnace, boiler broken.
7. The front door doesn't close tightly and the basement back door doesn't open properly. Poor seals in all doors allowing air to come in. Broken window and windows that can't open/close. Poor seals in all windows allowing air to come in.
8. Less desirable location than every other lake-backing home as the property has three back neighbours and the smallest opening onto the lake (only about half their yard). Backyard faces north so realtors have explained that their home will never be worth the same value as the majority of the properties on the lake as they have more southern exposure in the back.
9. The house was never upkept, repaired, or maintained, and there is small damage throughout every room.

[6] While their plan was to renovate the home, the Complainant has had numerous life challenges that have postponed their plans. As such, no significant repairs or changes have been made to the property since it was purchased in 2022. As such, the issues contributing to the lower purchase price have not been corrected.

[7] The assessment was challenged in 2024 successfully after seeing a 25.3% proposed increase. The 2025 assessment shows a 40.3% increase while the average lake-backing home only went up 13.5%. The increases are not reasonable as compared to the other properties without the listed property damage. As per the *MGA*, the assessments must reflect the condition of the property as of December 31 of the previous year.

[8] The Town Assessor Carmel Staley reached out in October 2024 to see if the condition of the property had changed, requesting the purchase contract and home inspection. The Complainant did not have the requested documents on hand but mentioned that the property was in the same condition of the prior year when the assessment reduction was granted. The Assessor advised that it did not matter, and they would be increasing the property value to \$1,600,000.

[9] The Complainant included MLS listings for other properties in the area and mentioned that the realtors they consulted would not list the property within 20% of the assessed value.

[10] A rebuttal package was not received by the Board.

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Respondent:

[11] 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 2022, pertinent legislation pertaining to the assessment, a list of sales comparables for similar properties in the area, and a list of equity comparables for the area.

[12] Through questions, the Respondent agreed that they had reached out via email to see if the condition of the property had changed, but did not conduct any site visits or further investigation to verify the condition of the property. No significant renovations were noted on file, and no evidence was presented to counter the Complainant's claims of damage.

Findings and Reasons

[13] The Board found the evidence of the damage at the property to be significant, as reflected in the purchase price of the property in 2022. In absence of the 2022 purchase price, the Board would need to see concrete evidence of structural damage and costs to remediate. However, as the fee simple sale of a property is its best indicator of value, the Board placed the most weight on the recent sale of the subject to confirm the significance of the damage.

[14] As no renovations or changes to condition were on file for the property, and the claims of damage put forth by the Complainant were not challenged or refuted by the Respondent, the Board concluded that the property was most likely in similar condition as when it was purchased in 2022.

[15] The Board considered the arguments regarding the increase in assessments of comparable properties as presented by the Complainant, however placed little weight on the evidence as Mass Appraisal does not result in all properties rising and falling at the same rate. As such, the rates of increase or decrease of other assessments on other properties cannot be the foundation for determining value of a specific property.

[16] Since the Board placed the most weight on the 2022 purchase price of the property in determining value including the property damage, the Board concluded that the time-adjusted sale price was likely the most accurate representation of the value of the property.

[17] The Board noted that, as per Section 285 of the *Municipal Government Act*, previous years' assessments do not affect the current year's assessment and are not considered to be evidence as assessments need to be completed yearly. However, while previous Board decisions

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are not binding, Assessment Review Boards should strive to apply general principles and legislative provisions consistently as per the Administrative Law 2 (2017) handbook for ARB members.

Board's Decision

[18] The Board adjusts the assessment to the time-adjusted sale price of \$1,161,800.

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 (101 pages)
R-1	Respondent's Disclosure (25 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.*