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:

Doug and Sharon Bell - Complainant

- and -

The Town of Okotoks - Respondent

BEFORE:

Andrew Roy, Presiding Officer
Laura Dunbar-Proctor, Member
Sheri Kurtz, 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 2025 Assessment Roll as follows:

Roll Number	Address	Assessment
0086890	**1305 – 200 Community Way**	**$367,000**

This complaint was heard on the 13th day of May 2026 at the Town of Okotoks Municipal Centre Council Chamber at 5 Elizabeth Street, Okotoks, Alberta.

Appearing on behalf of the Complainant:

- Doug Bell

Appearing on behalf of the Respondent:

- Nathan Hanberry, Assessor

Attending for the Assessment Review Board (ARB):

- Krista Conrad, Clerk

Preliminary Matters

[1] There were no preliminary matters.

Property Description and Background

[2] The subject property is a residential condominium unit located at 1305 – 200 Community Way (Calvanna Village) in Okotoks, Alberta (Roll No. 0086890). The unit was constructed in 2007. Per the Respondent's Brief, the above-grade floor area is 1,120 square feet. The property is currently assessed by the Town of Okotoks at $367,000. The requested value on the assessment complaint form is $325,000.

Issues

[3] The issue before the Board is whether the assessed value of $367,000 reflects market value, namely the amount the subject property might reasonably be expected to realize if sold by a willing seller to a willing buyer on the open market at the legislated valuation date of July 1, 2025, having regard to the characteristics and physical condition of the property at the condition date of December 31, 2025: *MGA*, s. 1(1)(n) and s. 289(2); Matters Relating to Assessment and Taxation Regulation (*MRAT*), Alta. Reg. 203/2017, ss. 5 and 6.

Board's Findings in Respect of Each Matter or Issue

[4] The Board adjusts the assessment from $367,000 to $334,000. Reasons follow.

Summary of Positions

Complainant:

[5] The Complainant submits that the 2026 assessment of $367,000 exceeds market value as of July 1, 2025. His position rests on a sales analysis of fourteen condominium units in the Calvanna Village complex, obtained from a member of the Okotoks Real Estate Board.

[6] The Complainant tendered sale and assessment data for fourteen units in Calvanna Village that sold between May 2024 and June 2025. The highest selling unit in that period was Unit 3105, which sold in May 2025 for $340,000. The subject is assessed at $367,000, which is $27,000 above the highest sale in the complex during the relevant period.

[7] The Complainant submits that of the fourteen sales he tendered, ten are assessed at or above 100% of the sale price, and only four are assessed below 100% of the sale price. He

submits that the four units assessed below 100% are the smallest units in the complex, and that the Respondent's mass-appraisal output therefore systematically overstates value within the Calvanna Village complex.

[8] The Complainant tendered a second table in which each sale was recalibrated to a 95% assessment-sales ratio. He submits that the Town's time-adjustment factor, which moves older sale prices upward to the July 1, 2025 valuation date, does not reflect the direction of the actual market in the complex over the relevant period and produces an artificially favourable assessment-sales ratio for the Town.

[9] The Complainant confirmed at the hearing that his sales data was provided by a member of the Okotoks Real Estate Board, that the sales were arm's-length, and that he otherwise defers to the Respondent on the sale-price data points.

[10] The Complainant's requested assessed value, as set out on the complaint form, is $325,000.

Respondent:

[11] The Respondent relies on a sales-comparison mass-appraisal analysis of five comparable condominium units in the Calvanna Village complex, all 2007 construction with floor areas between 1,119 and 1,145 square feet, sold between January 2023 and May 2025. The Respondent applies a time-adjustment factor to each comparable. The reported median assessment-sales ratio is 0.95, computed against the time-adjusted sale prices.

[12] On a per-square-foot basis, the Respondent reports a median assessed value of approximately $328 per square foot, with the subject also assessed at approximately $328 per square foot. The Respondent submits that the assessment falls within the statistical quality standard set out in *MRAT* s. 14 and requests that the Board confirm the assessment at $367,000.

Findings and Reasons

Legislative framework and approach

[13] Assessments must be prepared using mass appraisal, must be an estimate of the value of the fee simple estate, and must reflect typical market conditions for properties similar to the subject: *MRAT* s. 5. Each assessment must reflect the characteristics and physical condition of the property at December 31 of the year prior to the year of taxation: *MGA* s. 289(2). On a complaint, the Board's authority to change the assessment roll is found in *MGA* s. 467(1). That authority is constrained by s. 467(3), which directs the Board not to alter an assessment that is fair and equitable, taking into account the valuation and other standards set out in the

regulations, the procedures set out in the regulations, and the assessment of similar properties or businesses in the same municipality.

[14] The onus on a property assessment complaint is anchored statutorily in s. 460(9) of the *MGA*, which requires the Complainant to indicate (i) what information shown on the assessment notice is incorrect, (ii) in what respect that information is incorrect, (iii) what the correct information is, and (iv) the requested assessed value: *GSL Chevrolet Cadillac Ltd v Calgary (City)*, 2013 ABQB 318 at paras 32 and 35 (*GSL Chevrolet*). The practical operation of that statutory burden has been articulated by the Alberta Court of King's Bench in *Beta Management Inc v Edmonton (City)*, 2017 ABQB 571 at paras 139–141 (*Beta Management*), as carrying three distinct components: (a) the Complainant bears an evidential burden to provide some evidence supporting his contention that the assessment is incorrect, sufficient to set out a "case to meet"; (b) if the Complainant discharges that evidential burden, the Respondent municipality takes up an evidential or "tactical" burden of putting forward evidence supporting the assessment, on pain of having the assessment altered if it does not respond; and (c) the ultimate or persuasive burden remains with the Complainant on the balance of probabilities. The Complainant is not required to establish his entire case before the Respondent must engage; once the Complainant provides some accepted evidence demonstrating the assessment is incorrect, the Respondent must respond: *Ross v Edmonton (City)*, 2016 ABQB 730 (*Ross*). The same framework has been articulated in different terms as a doubt-raising threshold: *Costco Wholesale Canada Ltd v City of Medicine Hat*, 2022 ABQB 129 at paras 32 and 66 (*Costco (Medicine Hat)*); *Costco Wholesale Corporation v Calgary (City)*, 2022 ABKB 615 at para 44 (*Costco (Calgary)*).

[15] The Board is also guided by *Baron Real Estate Investments Ltd v Edmonton (City)*, 2021 ABCA 64 at para 44 (*Baron*), which frames the panel's task as providing intelligible, transparent reasons capable of justifying the conclusion that a willing seller and a willing buyer would agree on the assessed price for the property as it stood on the relevant condition date.

Whether the Complainant has discharged the evidential burden

[16] The Board finds that the Complainant has discharged his evidential burden under *Beta Management* at paras 139–141. The Complainant's sales evidence shows that, of fourteen units in the Calvanna Village complex that sold between May 2024 and June 2025, ten were assessed at or above 100% of the sale price and only four below 100%. The highest sale price in the complex during that period was $340,000 (Unit 3105, May 2025), which is $27,000 below the assessment of the subject. On the Respondent's own data, the same Unit 3105 has an assessment-sales ratio of 1.11. The Complainant has raised a sufficient doubt about the reliability of the assessment to shift the onus, and the Respondent took up the tactical burden to respond.

Whether the Respondent has met its tactical burden

[17] The Respondent's sales-comparison analysis of five Calvanna Village units produces a median assessment-sales ratio of 0.95, computed against time-adjusted sale prices. The Board accepts that, taken as a stratification, the analysis falls within the median assessment-ratio range required by *MRAT* s. 14. A statistical model cannot, however, be used to defend an individual assessment that is under complaint: *1544560 Alberta Ltd v Edmonton (City)*, 2015 ABQB 520 (*1544560 Alberta Ltd*). The Board is not persuaded that the Respondent has met its tactical burden to establish that the subject's assessment is correct and equitable for the following reasons.

[18] The Board considers the time-adjustment methodology the Respondent applied to his five comparables. The most recent sale among the Respondent's comparables, Unit 3105 (May 2025), was time-adjusted slightly downward (from \$340,000 raw to \$338,300 time-adjusted), consistent with the proximity of the sale date to the July 1, 2025 valuation date. The four older comparables, by contrast, were time-adjusted upward by between 12% and 33% relative to their raw sale prices. The Board is not persuaded that an upward time-adjustment of that magnitude is justified by the actual market behaviour in the complex, particularly when the most recent and most proximate sale to the valuation date reflects a slight downward time-adjustment. Even on its time-adjusted figure, Unit 3105 has an assessment-sales ratio of 1.11 (\$374,000 ÷ \$338,300), the only individual ratio in the Respondent's comparable group falling outside the 95%–105% statistical quality standard required by *MRAT* s. 14.

[19] The Complainant's fourteen-sale data set provides broader context for evaluating the Town's mass-appraisal output in the complex. Only one unit, Unit 3105, appears in both the Complainant's fourteen-sale set and the Respondent's five-sale comparable group; the balance of each party's set differs from the other on grounds of varying square footage or sale dates outside the Respondent's three-year window. Of the fourteen sales the Complainant tendered, ten are assessed at or above 100% of the raw sale price. The Board accepts that the Town's mass-appraisal output, while statistically compliant in aggregate, does not produce a fair and equitable individual assessment of the subject when measured against the actual sale prices observed in the complex.

What the willing buyer and willing seller would agree to

[20] The Board returns to the willing-buyer/willing-seller question framed in *Baron* at para 44. The Board adopts a per-square-foot comparable analysis using Unit 3105, 200 Community Way, as the most reliable individual comparable to the subject. Unit 3105 is the most reliable comparable for three reasons: (i) it sold most recently of any unit in the Respondent's comparable group, in May 2025, approximately two months before the July 1, 2025 valuation

date, so no meaningful time-adjustment applies; (ii) it is closest in floor area to the subject (1,140 square feet versus the subject's 1,120 square feet); and (iii) it is in the same complex and is of the same year of construction (2007).

[21] Unit 3105 sold for $340,000. On a raw sale-price-per-square-foot basis, that is approximately $298 per square foot ($340,000 ÷ 1,140 sq. ft. = $298.25 per sq. ft., rounded). Applied to the subject's above-grade area of 1,120 square feet, that produces an indicated value of approximately $334,000 ($298 × 1,120 = $333,760, rounded). The Board adopts $334,000 as the assessed value.

[22] The Board's value of $334,000 is corroborated by the broader pattern in the evidence: it sits below the highest actual sale price in the complex ($340,000), reflects the subject's slightly smaller floor area, and is consistent with the Complainant's evidence that the Town's mass-appraisal output is set materially above actual sale prices for units in this complex. The Board does not need to credit the Complainant's time-adjustment critique or his recalibrated 95% assessment-sales ratio table to reach this result; the per-square-foot analysis using Unit 3105 alone is sufficient.

<u>Board's Decision</u>

[23] The Board adjusts the assessment of 1305 – 200 Community Way (Roll No. 0086890) from $367,000 to $334,000. The Complainant's filing fee is to be refunded pursuant to *MGA* s. 481(1).

It is so ordered.

Dated at the Town of Okotoks in the Province of Alberta this 10th day of June 2026.

[redacted]

Andr[redacted]
Presiding Officer

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

NO.	ITEM
C-1	Complainant's Disclosure (2 pages)
R-1	Respondent's Disclosure Email (1 page)
R-2	Respondent's Disclosure Attachment 1 of 1 (11 pages)
C-2	Complainant's Rebuttal Disclosure (1 page)

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.*