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:

Henry Riggelson - 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
0049640	**723 Cimarron Close**	**$821,000**

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:
- Henry Riggelson

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 one-storey home with a developed basement and an attached garage, located at 723 Cimarron Close in Okotoks, Alberta (Roll No. 0049640). The home was constructed in 2001. Per the Respondent's Brief, the above-grade area is 1,575 square feet, the lower-level area is 1,259 square feet, and the lot area is 5,052 square feet. The property backs onto greenspace. The Complainant purchased the property in 2016 for $597,000. It is currently assessed by the Town of Okotoks at $821,000. In his rebuttal disclosure, the Complainant requested an assessed value in the range of $729,000 to $739,000.

Issues

[3] The issue before the Board is whether the assessed value of $821,000 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 confirms the assessed value at $821,000. Reasons follow.

Summary of Positions

Complainant:

[5] The Complainant submits that the 2026 assessment of $821,000 does not reflect market value. His position rests on three lines of evidence: comparable sales in the Cimarron neighbourhood, an argument derived from the Calgary Real Estate Board benchmark price, and an unwritten opinion from a local realtor.

[6] The Complainant tendered the assessment history for the subject from 2016 to 2026. Assessments were below the 2016 purchase price of $597,000 from 2017 to 2022, recovered to $600,000 in 2023, and then increased by 14.5%, 8.6%, and 10.1% in 2024, 2025, and 2026

respectively. The Complainant submits that this recent acceleration is disproportionate to the broader Okotoks market.

[7] The Complainant relies on the Calgary Real Estate Board detached-bungalow benchmark price, which moved from $690,100 at the end of 2024 to $679,200 at the end of 2025, a decrease of 1.1%. He submits that if the same 1.1% decrease had been applied to his 2024 assessment of $687,000, the 2025 assessment would have been $679,443 instead of $746,000, and that the subsequent 2026 increase to $821,000 is built on an "artificially high base rate."

[8] The Complainant tendered MLS listing data for five bungalow sales in the Cimarron neighbourhood in his rebuttal disclosure: 701 Cimarron Close ($695,000, August 20, 2025); 767 Cimarron Close ($640,000, June 19, 2025); 106 Cimarron Drive ($875,000, May 26, 2025); 167 Cimarron Drive ($685,000, March 10, 2025); and 523 Cimarron Point ($800,000, January 25, 2025). The arithmetic mean of the raw sale prices is $739,000. The Complainant submits that this average is the appropriate indication of market value for the subject.

[9] The Complainant characterizes 106 Cimarron Drive ($875,000) as an "anomaly," on the basis that it may have sold to an out-of-province buyer prepared to pay above market value. He did not tender any evidence about the buyer, the seller, the listing history, or any conditions of the sale.

[10] The Complainant refers in his disclosure to an unnamed local realtor who agreed orally that the assessment is too high. No realtor name, no written opinion, no inspection report, and no testimony from the realtor were tendered.

[11] The Complainant’s requested assessed value, as set out in his rebuttal disclosure, is in the range of $729,000 to $739,000.

Respondent:

[12] The Respondent relies on a sales-comparison mass-appraisal analysis of five comparable one-storey homes with basements in the Cimarron neighbourhood, sold between September 2022 and March 2025: 523 Cimarron Point, 167 Cimarron Drive, 48 Cimarron Trail, 129 Cimarron Rise, and 761 Cimarron Close. Time-adjusted sale prices range from $693,100 to $817,900. The corresponding assessments range from $697,000 to $831,000. The median assessment-sales ratio is 1.01.

[13] The Respondent submitted that the assessment falls within the statistical quality standard set out in *MRAT* s. 14 (median assessment ratio between 95% and 105%) and is therefore a reasonable estimate of market value. The Respondent requested that the Board confirm the assessment at $821,000.

<u>Findings and Reasons</u>

Legislative framework and approach

[14] 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.

[15] 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)*). When assessing whether the Complainant has set out a case to meet, the Board is not required to accept the Complainant's evidence at face value: *Costco (Calgary)* at para 44.

[16] 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

[17] The Board finds that the Complainant has not discharged the evidential burden under *Beta Management* at paras 139–141. The Complainant tendered no professional appraisal, no time-adjusted comparable-sales analysis, no stratified bungalow analysis with adjustments for property differences, and no documented Realtor opinion. The Complainant’s evidence and argument, taken at their highest, "merely suggesting alternatives to the inputs used in [the] assessment," which does not demonstrate error: *Costco (Calgary)* at para 44. The onus does not shift, and the Respondent does not take up a tactical burden to respond.

[18] The Complainant's benchmark-price argument misunderstands the mass-appraisal framework. The detached benchmark price published by the Calgary Real Estate Board for Okotoks is a community-wide statistical measure derived from sales of typical detached properties across the Town of Okotoks, not a methodology for setting individual property assessments, and it is not narrowed to detached bungalows of the kind the subject represents. Mass appraisal under *MRAT* s. 5 uses individual sales data within stratifications, and individual properties can rise or fall at rates different from the community-wide benchmark depending on their specific characteristics, condition, and the comparable sales relevant to the subject. The 1.1% decline in the community-wide detached benchmark from 2024 to 2025 does not, on its own, establish that the subject's assessment must decline by the same amount, or that the assessment is incorrect.

[19] The Complainant’s five-sale arithmetic average of $739,000 is not a recognized valuation methodology. The average is computed from raw sale prices without any time-adjustment to the July 1, 2025 valuation date, without stratification for size, lot area, basement finish, walkout configuration, or proximity to greenspace, and without any adjustment for the differences between each comparable and the subject. The Respondent’s mass-appraisal analysis, by contrast, applies a time-adjustment factor (which uplifts older sales to the valuation date) and produces a stratified output. The Complainant’s simple average does not engage with these features of mass appraisal and does not demonstrate that the Respondent’s output is incorrect.

[20] The Complainant’s characterization of 106 Cimarron Drive ($875,000) as an "anomaly" is unsupported. The Complainant offered speculation about an out-of-province buyer paying above market value, but no evidence about the buyer, the seller, the listing history, or any conditions of sale that would establish the transaction as non-arms-length or otherwise unreliable. Without such evidence, the Board cannot exclude 106 Cimarron Drive from the comparable set.

[21] The Realtor opinion the Complainant relies on is hearsay and carries no weight. The Complainant references an unnamed local realtor who "agreed" the home is assessed too high.

No realtor name, no written opinion, no inspection report, and no testimony were tendered. The Board has nothing before it that could support a finding on the realtor opinion.

[22] The Board notes that two of the five sales the Complainant tendered in his initial disclosure (754 Cimarron Close and 721 Cimarron Close) are two-storey homes with above-grade areas of 1,639 and 1,966 square feet respectively. They are not directly comparable to the subject, which is a 1,575 square-foot one-storey bungalow. The Complainant substituted these from his rebuttal-disclosure average, which the Board accepts as appropriate. The Board has not given them weight.

[23] For completeness, the Board notes that the Respondent's five-comparable mass-appraisal analysis is methodologically sound. All five comparables are one-storey bungalows with developed basements and attached garages, in the same Cimarron neighbourhood as the subject, sold within a three-year sales window. The Respondent applies a time-adjustment factor to each comparable. The median assessment-sales ratio of 1.01 falls comfortably within the 95%–105% statistical quality standard required by *MRAT* s. 14. The subject's assessment of $821,000 is within the range of the comparable assessments ($697,000 to $831,000), and the subject is at the larger end of the comparable above-grade area range (1,575 sq. ft., compared with the range of 1,366 to 1,587 sq. ft. among the comparables).

[24] The Board notes that, pursuant to s. 285 of the *MGA*, previous years' assessments do not affect the current year's assessment and are not evidence of value, as assessments are prepared annually. The Complainant's 2016–2026 assessment history is noted but does not bear on the present year's assessment. Prior LARB decisions are likewise not binding on this panel: *Costco (Medicine Hat)* at para 34.

<u>Board's Decision</u>

[25] In summary, the Complainant has not discharged the evidential burden under *Beta Management* at paragraphs 139 to 141. The benchmark-price argument misunderstands the mass-appraisal framework. The five-sale arithmetic average is not a recognized valuation methodology. The anomaly characterization of 106 Cimarron Drive is unsupported by evidence. The Realtor opinion is hearsay and carries no weight. Taken at their highest, the Complainant's submissions merely suggest alternatives to the inputs used in the assessment, which does not demonstrate error: *Costco (Calgary)* at para 44. The onus does not shift, the Respondent does not take up a tactical burden to respond, and the Board has no basis on the evidence to alter the assessment.

[26] The Board confirms the assessment of 723 Cimarron Close (Roll No. 0049640) at $821,000.

It is so ordered.

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

[redacted]

Andrew Roy
Presiding Officer

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

NO.	ITEM
C-1	Complainant's Disclosure (25 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 (2 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.*