**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:**

Angela Boland - 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 |
|---|---|---|
| **0019100** | **807 Downey Place** | **$734,000** |

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:

- Angela Boland

Appearing on behalf of the Respondent:

- Nathan Hanberry, Assessor

Attending for the Assessment Review Board (ARB):

- Krista Conrad, Clerk

**Preliminary Matters**

[1] At the outset of the hearing, the Respondent advised that, having reviewed the Complainant's rebuttal disclosure, Assessment Services now recommends a downward adjustment of the assessment from $734,000 to $709,000 to reflect data corrections to the assessment record. The Board records the recommendation and addresses it below.

[2] The Board noted new information provided in the Complainant's rebuttal disclosure, and the Respondent agreed to address that information during the hearing.

**Property Description and Background**

[3] The subject property is a residential two-storey home with a basement and an attached garage, located at 807 Downey Place in Okotoks, Alberta (Roll No. 0019100). The home was constructed in 1989. Per the Respondent's Brief, the above-grade area is 2,443 square feet and the lot area is 8,719 square feet. The basement is undeveloped. The property is currently assessed by the Town of Okotoks at $734,000. The requested value on the assessment complaint form is $687,000.

**Issues**

[4] The issue before the Board is whether the assessed value of $734,000 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**

[5] The Board accepts the Respondent's recommended downward adjustment and adjusts the assessment from $734,000 to $709,000. The Board does not further reduce the assessment to the Complainant's requested value of $687,000. Reasons follow.

**Summary of Positions**

**Complainant:**

[6] The Complainant submitted that the 2026 assessment of $734,000 does not reflect

market value and is inequitable relative to similar properties in the Downey Ridge neighbourhood. Her position rests on four lines of argument: (i) the Calgary Real Estate Board benchmark price methodology; (ii) equity with comparable assessed values in the neighbourhood; (iii) location-related and condition-related factors specific to the subject; and (iv) the prior-year assessment history.

[7] The Complainant relies on the Calgary Real Estate Board detached benchmark price for Okotoks, which she cites as $679,200 at the end of 2025, a 1.1% decrease from 2024. She also references an average list price for Okotoks of $669,683 over January 2025 to January 2026.

[8] The Complainant tendered four comparable two-storey homes in the Downey Ridge neighbourhood, built in 1988 or 1989, with 2026 assessed values between $684,000 and $694,000: 301 Downey Place ($684,000, 2,248 sq. ft.); 305 Downey Place ($692,000, 2,227 sq. ft.); 602 Downey Place ($694,000, 2,148 sq. ft.); and 610 Downey Place ($684,000, 2,067 sq. ft.). The Complainant submits that the subject should be assessed at or below the lower end of this range.

[9] The Complainant relies on three location and condition factors: the subject backs onto higher-density housing rather than greenspace, the basement is undeveloped, and the cedar shingle roof and original windows will require replacement in the near term.

[10] The Complainant notes that the prior year assessment was informally reduced from approximately $710,000 to $687,000 following discussions with the assessor.

[11] The Complainant's requested assessed value is $687,000.

**Respondent:**

[12] The Respondent's original position, set out in his Brief, was to confirm the assessment at $734,000 based on a sales-comparison mass-appraisal analysis of four comparable two-storey homes built in 1988 or 1989 in the Downey area: 305 Downey Place, 55 Downey Road, 62 Downey Road, and 304 Downey Place. The Respondent reported a median assessment-sales ratio of 1.00. At the hearing, having reviewed the Complainant's rebuttal disclosure, the Respondent revised his position and recommended a downward adjustment to $709,000 to reflect data corrections to the assessment record.

[13] The Respondent submits that the revised assessment of $709,000 falls within the statistical quality standard set out in *MRAT* s. 14 (median assessment ratio between 95% and 105%) and is a reasonable estimate of market value.

**<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 her 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 her 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.

**The Respondent's revised assessment of $709,000 is accepted**

[17] The Complainant's disclosure and rebuttal raised concerns about the original $734,000 assessment that, upon review, the Respondent accepted in part. The Respondent's revised recommendation of $709,000 reflects data corrections to the assessment record. The Board accepts the Respondent's revised figure as a reasonable estimate of market value at July 1, 2025. The revised assessment falls within the statistical quality standard required by *MRAT* s. 14 and is consistent with the assessments of comparable two-storey homes in the Downey area.

**Whether the Complainant has discharged the onus to establish a value below $709,000**

[18] The Board finds that the Complainant has not discharged her ultimate persuasive burden under *Beta Management* at para 141 to establish that the correct assessment is lower than the Respondent's revised figure of $709,000. The Complainant tendered no professional appraisal, no time-adjusted comparable-sales analysis, no professional condition report, and no itemized cost-to-cure for the condition-related items she raised. On the balance of probabilities and on the evidence properly before it, the Board is not satisfied that an assessed value below $709,000 reflects what a willing buyer and willing seller would have agreed at July 1, 2025 for the subject in its December 31, 2025 condition.

[19] The Complainant's benchmark-price argument does not establish a value below $709,000. The detached benchmark price published by the Calgary Real Estate Board is a community-wide statistical measure derived from sales of typical properties across the municipality, not a methodology for setting individual property assessments. 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. The 1.1% decline in the community-wide bungalow benchmark from 2024 to 2025 does not, on its own, establish what the subject should be assessed at, and does not on its own justify a reduction below $709,000.

[20] The Complainant's equity argument does not, on its own, support a value below $709,000. The four comparable two-storey homes she identifies (301, 305, 602, and 610 Downey Place) are all materially smaller than the subject: their above-grade areas range from 2,067 to 2,248 square feet, while the subject is 2,443 square feet. On a per-square-foot basis, the subject at $709,000 is assessed at approximately $290 per square foot, which is below the assessed per-square-foot range of the four comparables ($304 to $331 per square foot). The Complainant's equity argument, which compares total assessed values without adjusting for size, does not engage with this differential, and does not demonstrate that the subject is over assessed relative to comparable properties on a per-square-foot basis.

[21] The Complainant's location and condition arguments do not support a further reduction below $709,000 for two independent reasons. First, the Respondent's revision from $734,000 to $709,000 already reflects a downward adjustment for data corrections to the assessment record (including the undeveloped basement). The Board is not satisfied that any further adjustment is warranted. Second, the Complainant did not tender a professional appraisal, a written condition report, or an itemized cost-to-cure for the cedar-shingle roof and original-window items. Without that evidence, the Board cannot translate those items into a quantified downward adjustment in a defensible way. Standard homeowner maintenance is not, on its own, a basis for an additional adjustment under mass appraisal.

[22] The Complainant references a prior-year informal reduction of the assessment from approximately $710,000 to $687,000 following discussions with the assessor. 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 Board notes the prior-year history but does not give it weight on the current complaint.

**Board's Decision**

[23] The Board adjusts the assessment of 807 Downey Place (Roll No. 0019100) from $734,000 to $709,000. 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]

Andrew Roy
Presiding Officer

**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 (5 pages) |
| R-1 | Respondent's Disclosure Email (1 page) |
| R-2 | Respondent's Disclosure Attachment 1 of 1 (11 pages) |
| C-3 | Complainant's Rebuttal Disclosure Email (2 pages) |
| C-4 | Complainant's Rebuttal Disclosure Attachment (3 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.*