



Complaint ID 0262 2151
Roll No. 300001913745

LOCAL ASSESSMENT REVIEW BOARD DECISION
HEARING DATE: JUNE 1, 2026

PRESIDING OFFICER: S. DUSHANEK
BOARD MEMBER: K. SHANNON
BOARD MEMBER: C. HUELSMAN

BETWEEN:

PROPERTY OWNER
Lew Figol, Alexander Figol & Luba Figol

Complainant

-and-

REVENUE AND ASSESSMENT SERVICES
For The City of Red Deer

Respondent

This decision pertains to a complaint submitted to the Central Alberta Regional Assessment Review Board in respect of a property assessment prepared by an Assessor of The City of Red Deer as follows:

ROLL NUMBER: 300001913745
MUNICIPAL ADDRESS: 6 Overand Place, City of Red Deer
ASSESSMENT AMOUNT: \$726,600

The complaint was heard by the Local Assessment Review Board on the 1st day of June 2026, in Council Chambers at the Red Deer City Hall, Alberta.

The Board derives its authority from the Municipal Government Act, R.S.A 2000, Chapter M-26 (the MGA) and related legislation as set out in Appendix "B".

Appeared on behalf of the Complainant: Lew Figol, Alexander Figol, Property Owners

Appeared on behalf of the Respondent: Travis Larder, Property Assessor, City of Red Deer
Philip Dwomoh, Property Assessor, City of Red Deer

DECISION: The assessed value of the subject property is confirmed at \$726,600.

JURISDICTION

- [1] The Central Alberta Regional Assessment Review Board [“the Board”] has been established in accordance with section 455 of the *Municipal Government Act*, RSA 2000, c M-26 [“MGA”].

PROPERTY DESCRIPTION AND BACKGROUND

- [2] The subject property is 6 Overand Place, Red Deer Alberta. This home is located on the West side of Red Deer in the Oriole Park neighborhood. It is a custom home built in 2008. It was most recently purchased in 2024 by the Complainant. The home is one story with developed basement, front attached garage and is 1530 sq ft home on a 6,087 ft lot.

PRELIMINARY MATTERS

- [3] The Presiding Officer confirmed that no Board Member raised any bias or conflicts of interest with regards to matters before them.
- [4] Neither party raised any objection to the panel hearing the complaint.
- [5] The Respondent pointed to documents that they would like to seek correction on. This was a Point of Order as the documents had not yet been entered into evidence. The Complainant had pointed to these items in their response. The Board continued forward and this issue did not come up again.
- [6] The Respondent brought forward an issue in regards to disclosing the amount of time that the party would take to present their case. The Complainant stated they provided this via email to the and the Respondent. The Respondent requested verbal confirmation of the amount of time which was provided by the Complainant. The Board considered this issue resolved.
- [7] No additional preliminary matters were raised.

POSITION OF THE PARTIES**Position of the Complainant**

- [8] The Complainant opened the hearing explaining the four selections that were selected on the complaint form:
- Matter 2 – Name of the Assessed Taxpayer
 - Matter 3 – Assessment Amount & Legislative Breach
 - Matter 7 – Type of Improvement
 - Matter 8 – School Support
- [9] The Complainant stated due to receiving two Property Assessment Notices, one containing Property Owner #1 and Property Owner #2 and the other containing Property Owner #3, that the assessment notice was not correctly produced.

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- [10] The Complainant argued that due to wording in MGA s. 303(b); and by not having all parties on one document this does not meet the legislation. The omission of the third legal owner raises concerns regarding fairness, equality and the ability of all assessed persons to exercise their right to file a complaint in accordance with MGA s. 460(1) and s. 461(1)(b).
- [11] The Complainant stated that the School Support was incorrectly attributed and they want to ensure that it is allocated accordingly. The Complainant explained they were not aware of how it had been attributed in the past. They submitted a School Support Notice request form with the initial complaint filing on March 12, 2026 requesting the change from Public to Separate School.
- [12] The Complainant stated that the assessed value of \$726,600 is incorrect and inequitable.
- [13] The Complainant argued in Exhibit C1 page 6 that it was unfair to the Complainant to try and challenge the assessment without sufficient evidence to understand how the assessment was prepared. The Complainant relied on MGA s. 467 (3) and submitted that the data, calculations, methodology, and underlying valuation information used to create the assessment had not been disclosed.
- [14] The Complainant believes the improvements listed on the assessment are not correct after reviewing the s. 299 and s. 300 report they had received.
- [15] The Complainant argued that after receiving the form 299 report that it does not match physical reality of property. Therefore, items listed such as hardwood floors, are improvements that were utilized in the assessment and should not have been listed in the report or been included in the assessment. The Complainant disputed many of the details contained within the report and felt it was not reflective of the condition of the home as of December 31.
- [16] The Complainant expressed confusion regarding the number of bathrooms in the home due to the report in which it stated an extra half bath and the assessment reflected two and a half bathrooms.
- [17] The Complainant argues that the use of 2009 photos in an assessment was unreasonable, as they did not depict an accurate reflection of the condition of the subject property as of December 31, 2025. This resulted in inaccurate representation of the property for assessment purposes. They believe the changes to the home were not improvements but instead decreased the value of the home.
- [18] The Complainant invited the Respondent several times to conduct a site inspection. The Respondent did not attend a site inspection during the review period. This raises concerns regarding compliance with MGA s. 289 (2)(a) and (b).
- [19] The Complainant further argued that the absence of disclosure and exchange of evidence by the Respondent prevented their meaningful participation in the assessment complaint process. The Complainant asserted this could create procedural issues with fairness and transparency, and that the assessment could not be considered fair or equitable, in accordance with MRAT s. 33 and s. 34.
- [20] The Complainant explained that the information provided in the assessment summary, disclosure package, as well as communication with the Respondent did not provide sufficient explanation of the methodology, data and calculations used to prepare the assessment. They argued that under the MGA s. 299 and MRAT s. 33 that this then does not meet the disclosure requirements.
- [21] Further argued that the property assessment details of the subject property (Exhibit C1, page 158) show hardwood floors, but the hardwood floors were covered in linoleum before the Complainant

purchased the house.

- [22] The Complainant outlined a variety of issues within the home. They described in detail the factors that they believe should be more thoroughly considered and influence the assessment to a lower number.
- [23] The Complainant shared items such as cracks in the walls, cheap fixtures, cracks in the stucco, drainage issues caused by the downspout, moisture in the windows in the basement, doors, the non-working stereo system, poor refinishing of the painted kitchen cabinets. They mentioned many cosmetic issues throughout their disclosure.
- [24] The Complainant believes that there is no explanation given as to why their home is considered a custom or semi-custom home. The quality of finishes within the subject did not support this classification.
- [25] The Complainant argues that a curved staircase and columns may be considered a custom feature it would not add value to benefit the home and the curved staircase and would limit buyers in a future sale and therefore should lower the assessment value.
- [26] The Complainant argued that the roof design featuring a dead valley was a major factor influencing the health of the home. They argued that due to the water intrusion and ice build-up in this area, it affects the overall health of the roof. They also mentioned that the home did not have downspouts prior to April 2025 and that this meant the rainfall was creating moisture issues within the home.
- [27] The Complainant argued a variety of external influencing factors, such as privacy issues, Public Land Use (PLU), easement, city bollards, snow accumulation, restrictive water covenant, and proximity to collector road, highway, railroad and asphalt plant (Exhibit C1 page 160 – 222). The Complainant argued the effect that these issues have on the enjoyment of their home and believe that these are specific to their property and were not included in that assessment valuation.
- [28] The Complainant explained that they were initially given three comparable properties, 164 Oak Drive, 88 Oakwood Close, and 180 Oak Drive (Exhibit C1 page 9). They do not believe these are appropriate comparable properties.
- [29] The Complainant stated that all these homes have higher assessment amounts and were not comparable due to the differences; such as corner lots, split stories, size or value. They focused only on 164 Oak Drive.
- [30] The Complainant used neighborhood lots to compare their homes value per square foot. They argue that their home is the third highest value per square foot in the neighbourhood, but the fifth smallest lot. They argue that the five comparable properties provided show that the square foot comparison is an indicator that their home is improperly assessed.
- [31] The Complainant argued that their purchase of the subject property in 2024 was not an arm's length sale or representative of market value. They explained that as out of province purchasers, they were limited on time to secure a home and faced limited inventory of available homes. The Complainant stated that several of homes were sold before they could make a purchase, and therefore they were left with the option of the subject property. This created duress of needing a home quickly but were limited in options and overpaid for the subject, therefore they do not feel

the purchase was an arm's length transaction. They further stated that due to the length of time the home was on the market, it indicated that it was not worth the purchase price.

- [32] The Complainant argued that while a deck on 52 Oakdale Place is not listed, their deck is included in the assessment. The Complainant suggested that this discrepancy signaled the differences and indicated that the assessment is unfair and inequitable.
- [33] The Complainant argued that the historical market price of the subject property contradicts the assessed value which has increased year over year.
- [34] The Complainant presented comparable data information on other properties contained within Exhibit C1 pages 429 - 456 where they made their own adjustments. Within the Complainant's analysis they assigned a cost value to features to deduct from the assessment to be comparable to theirs.
- [35] During questioning, the Complainant identified the cost values assigned to the negative adjustments were determined by using reasonable numbers but provided nothing in evidence to support the calculations and values.

Position of the Respondent

- [36] The Respondent raised an issue where they wanted to make a corrections in their submission regarding typos. They clarified that on Exhibit R1 page 5 the assessed value of \$726,000 was mistyped and it should state \$726,600. They stated that in Exhibit R1 page 6 market modified cost approach, line 2 was determined using CAMA lot not the Alberta Cost Manual.
- [37] The Respondent in Exhibit R1 pages 17 - 19 submits the assessment of subject property was completed in accordance with MGA s. 293(1)(A) and MRAT s. 5 and s. 14 under mass appraisal standards.
- [38] The Respondent explains that using this methodology, identifying comparable properties, adjusting for differences, and considering market conditions they ensure the valuation is sound.
- [39] Respondent confirms that characteristics and physical condition of property were appropriately considered through depreciation applied within the mass appraisal process.
- [40] Regarding the Complainant's consideration of square foot assessments, the Respondent spoke to how this is not an appropriate or reliable metric to determine the correctness of the assessment.
- [41] The Respondent explained their valuation methodology as Market modified cost approach – combines sales comparable properties and cost approaches, providing a comprehensive method to estimate property values in Exhibit R1 page 8.
- [42] The Respondent addressed external factors such as traffic, easement, etc. and shared that these items were considered within the assessment and were not unique to the subject property but were common to similar properties within the area. As such, the Respondent argued that these influences were accounted for in mass appraisal.
- [43] The Respondent stated the negotiations that were conducted support that the 2024 sale of the subject property was an arm's length sale.

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- [44] In regard to the deck at 52 Oakdale Place not being shown on the assessment, the Respondent explained that the property details are updated based on the information available to the assessors. Although they do requests for information, assessors may not always be able to inspect every home and may not be able to see improvements until the home is sold or items are brought to their attention.
- [45] The Respondent identified that there is a “in rate” quality adjustment code that explains that the quality adjustments listed in the 299 report were not adding value to the assessment. They stated if it were to add value there would be a “+” beside the feature. Therefore, they stated that the items listed were not positive adjustments to the assessment.
- [46] The Respondent explained the assessment and that the items listed on the 299 report were historical and items such as the hardwood floor had not been utilized in determining the assessment of the subject property. The Respondent stated that though it was written on the report, no upward assessment was made for hardwood floors.
- [47] The Respondent confirms that under MGA s. 299 and s. 300 they provided the same format, scope and level of disclosure was consistent with the level of information provided to all assessed persons who make requests. The Act does not mandate the release of internal calculations, proprietary cost manuals or model coefficients.
- [48] The Respondent stated that to argue the 299 or 300 report is not an issue for the Board referring to MGA s. 460 that speaks to the jurisdiction.
- [49] The Respondent confirmed that the assessment was created with two and a half bathrooms. The Respondent outlined the process whereby the numbers were created, and the number of bathrooms was proven during the site inspection on May 4, 2025.
- [50] In response to the Complainant’s argument regarding declining home and market prices, the Respondent argued the subject property falls in line with the market and comparables to suggest that it is assessed correctly. They expand in Exhibit R1 page 21 to show the historical price trend which is moving upwards.
- [51] In response to the Complainant’s issue regarding the classification of custom or semi-custom, the Respondent explained a custom home as having non-standard finishes. They stated that higher ceilings, larger baseboards, and specialty items signal a custom home, and submitted these were present in the subject property therefore qualify it as having custom and semi-custom features.
- [52] The Respondent acknowledged the school support allocation change request was received on March 12, 2026 noting that the change would be reflected within the next years assessment. They stated changes can not be applied retroactively in accordance with provincial regulations. The Respondent noted that the municipality is obligated to use the school support designation that was valid on January 1 of the tax year and explained the school support notice on file for this property was signed by all three property owners and the designation recorded reflects the information provided.
- [53] The Respondent explained that there are limitations to what can be included on a Property Assessment Notice. Specifically, template restrictions limited the maximum of two owners per notice.

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- [54] The Respondent referred to MGA s. 310 which requires that each assessed person receives an assessment notice.
- [55] The Respondent then referred to MGA s. 303 and s. 304 which requires the names of all assessed persons be listed on the assessment roll.
- [56] The Respondent then referred to MGA s. 460 and s. 461 which requires each assessed person to receive the information necessary to file a complaint within the prescribed timelines.
- [57] The Respondent then referred to MRAT s. 37 which requires contents of assessment notices and provided sufficient information to enable each assessed person to exercise their complaint rights.
- [58] The Respondent summarized that although the notices were issued separately all statutory obligations under the MGA and applicable regulations were fulfilled and no assessed person was disadvantaged or denied their rights.
- [59] The Respondent acknowledges a miscommunication with the request for a site inspection, and they confirmed they were able to visit the home on May 4, 2026. During the site inspection, observations of normal age-related wear and depreciation of the subject property were consistent with properties of similar age. Additionally, the state of the roof was considered along with the aging mechanical systems, outdated finishes and interior deficiencies.
- [60] The Respondent stated that the assessment utilized a variety of data and photographic records as they do with all assessments including MLS data, permit records, property inspection and ongoing data collection along with photos and sales date. The Respondent argued that adjusting the assessment to the requested amount would create inequity in the assessment.
- [61] The Respondent considered the argument for market declines but there was no market evidence that the market values were decreasing and that the subject property and comparables were appropriately positioned within the market place. This is supported by the 2024 sale. In consideration, the assessment to sale ratio of 98% supports the conclusion that the market value has been accurately captured. The Respondent further explained that the range of 95% to 105% is an acceptable range.
- [62] The Respondent is requesting that the Board confirm the assessed value of \$726,600.

BOARD FINDINGS and DECISION

- [63] The Board accepts the explanation by the Respondent about formatting limitations in the template used to produce assessment notices.
- [64] The Board finds that the inclusion of all Property Owners on one assessment notice is not required to be compliant with the legal requirements under the legislation and regulations. Specifically, the Board accepts that two Property Assessment Notices identified all three owners and that each owner received a copy.
- [65] The Board acknowledges that the request to change the allocation for school support was provided with the Complaint, however the Board also accepts the explanation that the request for change can not be applied retroactively. The Complaint was filed, March 12, 2026, therefore the

Board agrees that the school support change request was received and will be applied to the next taxation year.

- [66] The Board confirms that the 299 and 300 reports were produced within the legislated time frame. The Board confirms that the issue of the validity of the 299 and 300 report is not for the Board to decide.
- [67] The Board finds that the information regarding the assessment methodology, adapted Mass Appraisal, is sufficient information to verify the assessment and meet legislative requirements.
- [68] The Board confirms that the assessment reflects characteristics and physical condition of the property. The Board finds that the cosmetic finishes, outdated condition and cosmetic damages to the subject property are considered normal wear and tear and would not affect the assessed value of the home.
- [69] The Board accepts the Respondent's explanation of the two and half bathrooms as identified in the site inspection and photographs provided in the Complainant's evidence package.
- [70] The Board finds that the home meets the classification of a custom home. This is supported by features such as ceiling height, baseboard height and the spiral staircase.
- [71] The Board has considered the external influences affecting the subject property. The Board was not given sufficient evidence to indicate that the issues were limited to the subject property and instead widely influenced the neighborhood and similar properties. The Board gives little weight to the evidence supplied regarding the PLU, Traffic, Snow Plow issues and other external items.
- [72] The Board finds that the sale in 2024 was an arm's length transaction with no indication of duress. The sale was between a willing seller and a willing buyer. This is confirmed by the seller actively looking at other homes, negotiating and purchasing the home that was on the open market.
- [73] The Board finds that sale of the subject property is an indicator of market value and can be utilized when preparing an assessment of the property.
- [74] The Board gives most weight to the Respondent's equity comparables (Exhibit R1 page 25) and sales comparables (Exhibit R1 page 30). The Board noted the Complainant applied multiple negative adjustments to their own comparables in order to support the requested reduction for the subject property. Upon questioning the Complainant on how the values were calculated to create the adjustments, there was no evidence to support the values of the adjustments attributed. As such, the Board placed little to no weight on the Complainant's comparables.
- [75] The Board accepts the Respondent's ASR value and finds the subject property fits in an acceptable range.
- [76] The Board finds that the assessment was prepared using multiple data sources, including the use of MLS listings, ARFI, on-site inspections, and 2024 sales data.
- [77] Given the above, the Board finds the subject property is accurately assessed.

DECISION SUMMARY

[78] The Board finds that the original assessed value requires no change and remains at \$726,600.

[79] Dated at the Central Alberta Regional Assessment Review Board, in the city of Red Deer, in the Province of Alberta this 30th day of June, 2026 and signed by the Presiding Officer on behalf of all the panel members who agree that the content of this document adequately reflects the hearing, deliberations and decision of the Board.

Lisa Nord

L. Nord, Board Clerk
on behalf of
S. Dushanek, Presiding Officer

This decision may be judicially reviewed by the Court of King's Bench pursuant to section 470(1) of the Municipal Government Act, RSA 2000, c M-26.

MGA 470(1) Where a decision of an assessment review board is the subject of an application for judicial review, the application must be filed with the Court of King's Bench and served not more than 60 days after the date of the decision.

(2) *Notice of an application for judicial review must be given to*

- (a) the assessment review board that made the decision,*
- (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) a municipality, if the decision that is the subject of the judicial review relates to property that is within the boundaries of that municipality, and*
- (e) the Minister.*

Additional information may also be found at www.albertacourts.ab.ca.

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

Exhibit No.	Description	No. of Pages
A.1	Hearing Materials – prepared by the Clerk	8 pages
C.1	0262 2151 Roll 30001913745 - Complainant Submission Part 1 of 12 – Received May 11, 2026	623 pages
C.2	0262 2151 Roll 30001913745 - Complainant Video Submission – 1.2.1_VID_20260317_161151 – Received May 11, 2026	N/A
C.3	0262 2151 Roll 30001913745 - Complainant Video Submission – 1.3.4_VID_20260317_112950 – Received May 11, 2026	N/A
C.4	0262 2151 Roll 30001913745 - Complainant Video Submission – 1.3.8_VID_20260318_105453 – Received May 11, 2026	N/A
C.5	0262 2151 Roll 30001913745 - Complainant Video Submission – 1.4.4_Melt_VID_20260319_151300 – Received May 11, 2026	N/A
C.6	0262 2151 Roll 30001913745 - Complainant Video Submission – 1.4.4_Snow_VID_20260313_105819 – Received May 11, 2026	N/A
C.7	0262 2151 Roll 30001913745 - Complainant Video Submission – 1.4.7_MVI_0974 – Received May 11, 2026	N/A
C.8	0262 2151 Roll 30001913745 - Complainant Video Submission – 1.4.7_MVI_0975 – Received May 11, 2026	N/A
C.9	0262 2151 Roll 30001913745 - Complainant Submission – 299 Report for Transmission – Received May 11, 2026	20 pages
C.10	0262 2151 Roll 30001913745 - Complainant Submission – 300 Report for Transmission – Received May 11, 2026	14 pages
C.11	0262 2151 Roll 30001913745 - Complainant Submission – 6 Overand Place Information Request – Received May 11, 2026	3 pages
C.12	0262 2151 Roll 30001913745 - Complainant Submission – Final Tables – Received May 11, 2026	10 pages
C.13	0262 2151 Roll 30001913745 - Complainant Rebuttal – Received May 28, 2026	38 pages
R.1	0262 2151 Roll 30001913745 – Respondent Submission – Received May 25, 2026	86 pages