



Complaint ID 0263 2250  
Roll No. 657606005

Local ASSESSMENT REVIEW BOARD DECISION  
HEARING DATE: JUNE 15, 2026

PRESIDING OFFICER: D. WIELINGA  
BOARD MEMBER: C. HUELSMAN  
BOARD MEMBER: R. IRWIN

BETWEEN:

Shawn & Krystal Schellenberg

Complainant

-and-

Heather Giroux and Michael Arnold  
For Red Deer County

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 Red Deer County as follows:

ROLL NUMBER: 657606005  
MUNICIPAL ADDRESS: 39 28319 TWP Range Road 384, West Ridge Subdivision, Red  
Deer County  
ASSESSMENT AMOUNT: \$645,860

The complaint was heard by the Local Assessment Review Board on the 15<sup>th</sup> day of June 2026, via video conferencing.

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: Shawn Schellenberg, Property Owner

Appeared on behalf of the Respondent: Michael Arnold, Assessment Services Manager  
Heather Giroux, Property Assessor

**DECISION:** The assessed value of the subject property is varied to \$619,100.

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**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 in the West Ridge subdivision, approximately 6.3 kms from the City of Red Deer. It is located adjacent to two other subdivisions, Poplar Ridge and Mountain View. The Subject property is 1.24 acres in size and is a reverse walkout with an attached garage and a shed.

**PRELIMINARY MATTERS**

- [3] The Presiding Officer confirmed that no Board Member raised any conflicts of interest about matters before them.
- [4] Neither party raised any objection to the panel hearing the complaint.
- [5] No additional preliminary or procedural matters were raised by any party. Both parties indicated that they were prepared to proceed with the complaints.

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

- [6] The Complainant stated that the property and home are in a floodplain zone and he is currently the fourth owner of the property.
- [7] The Complainant stated that the property is 1.24 acres and was built in 1996. The house was purchased by the Complainant in 2020 for \$534,000.
- [8] The Complainant reviewed the house features: 1781 sq. ft. on the main floor, 731 sq. ft. of living space, a utility room in the basement, and 1050 sq. ft. of basement garage.
- [9] The Complainant stated in 1996 and 1999 the lower floor and garage of the home were flooded. This was due to a neighbouring build, which dammed up stormwater runoff and caused flooding in the home.
- [10] The Complainant stated additional flooding events were reported in 2005, 2007, and 2010 at 31-28391 TWP Range Road 384. The Complainant’s home did not flood at that time as the homeowner installed a stormwater pit and pumping system at their own expense.
- [11] The Complainant indicated there were additional flooding events in 2013, 2018, and 2022 at 31-28319 TWP Range Road 384; however, his home did not flood.
- [12] The Complainant stated that now the owners of 31-28391 TWP Range Road 384 are unable to pump water to the neighbouring property.

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- [13] The Complainant suggested that Red Deer County has not applied for a flood protection or hazard assistance and resilience program.
- [14] The Complainant stated that the subject property is one of several properties in West Ridge Estates affected by drainage issues.
- [15] The Complainant shared information from Exhibit C.2., the 2001 Ken Van Dewark report, and Exhibit C.3., the 2011 Associated Engineering Trimble Drainage Study.
- [16] The Complainant submitted that Exhibit C.2. demonstrates that stormwater and potential flooding concerns in the broader area were known many years before the current complaint.
- [17] The Complainant stated that this 2001 report identified serious concerns with runoff, flooding, drainage patterns and the need for proper stormwater planning before additional development proceeded.
- [18] The Complainant submitted Exhibit C.3., the Trimble Drainage Study, is important because it is a professional engineering report that directly addresses the drainage basin and flooding conditions affecting the nearby Trimble property.
- [19] The Complainant argued that the report confirms that the issue is not speculative, isolated, or minor.
- [20] The Complainant stated that the affected area has historically relied on a private stormwater retention and pumping system located at or near the property municipally described as 31 28319 TWP Road 284.
- [21] The Complainant indicated that the private pumping system did assist in reducing accumulated stormwater affecting multiple properties, including his property.
- [22] The Complainant suggested that the pumping arrangement is no longer a reliable or lawful solution due to the Water Act because water cannot simply be discharged onto another owner's land without authorization or consent.
- [23] The Complainant indicated that without the ability to pump or divert the water, the subject property and neighbouring properties are at renewed risk of flooding.
- [24] The Complainant suggested that Red Deer County has known about the drainage concerns since at least 2011 but has failed to implement a permanent stormwater solution.
- [25] The Complainant submitted that the subject property is diminished in value because a prospective purchaser would consider the stormwater history, flood risk, uncertainty about pumping, and lack of a permanent drainage solution.
- [26] The Complainant submitted that the property should receive a 30% or more reduction because the drainage issue is significant, known, documented, and would affect what a willing buyer would pay.

**In Response to questions the Complainant stated:**

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- [27] Regarding the Trimble Drainage Study, the study does not mention costs on neighbouring properties because the costs were associated with the entire area. The Trimble Drainage Study shows that water flows to the Complainant's property.
- [28] The reason the Complainant didn't have previous flooding is that the stormwater pit and pumping system was installed.
- [29] The Complainant indicated that he had no documentation to show that his property would be worth less.

**The following was indicated in the Complainant's Rebuttal:**

- [30] The Complainant stated Red Deer County has been aware of flooding issues since at least 2011.
- [31] The Complainant suggested that Red Deer County has repeatedly rejected, delayed, or failed to act on property mitigation measures.
- [32] The Complainant was not aware of the flooding issues when he purchased the property.
- [33] The Complainant stated that the system installed in #31 is the reason the surrounding properties have not experienced more flooding.
- [34] The Complainant stated that Red Deer County has been aware that since 2023 that pumping is no longer permitted.
- [35] During questioning the Complainant stated that his house has been dry for the last couple of years since water is no longer pumped off #31, but he believes history repeats itself and flooding will happen again.

**Position of the Respondent**

- [36] The Respondent stated the current assessed amount of the subject property is \$645,860 and is recommending a reduction to \$619,100.
- [37] The Respondent stated the subject property is in West Ridge Subdivision, Red Deer County and reviewed the property photograph in Exhibit R.1., page 4.
- [38] The Respondent indicated a reduction of 10% of the assessment amount of the subject property due to topographical issues.
- [39] The Respondent suggested that the topographical issues include the steepness of the terrain as well as overland flooding effects.
- [40] The Respondent stated the property was sold to the current owner for \$533,500 in 2020 and the property listing made no mention of flooding issues of the property.
- [41] The Respondent indicated the subject property was part of a general re-inspection cycle in 2023. This general re-inspection cycle involves a request for information sent to all owners in the area to

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confirm the property details and a general drive-by of each property in the re-inspection area. The current owner did not respond to the request for information.

- [42] The Respondent stated the issue is the assessment amount, and the complainant never expressed issues with flooding to Red Deer County until March 16, 2026.
- [43] The Respondent stated a clerical error on the subject property assessment was discovered and therefore recommends a reduction to \$619,100.
- [44] The Respondent indicated the complainant did not submit evidence to support a further reduction.
- [45] The Respondent stated the Complainant admitted his property is not experiencing the same flooding issues as the neighbouring property at 31-28391 TWP Range Road 384.
- [46] The Respondent indicated the subject property is not part of a provincially designated flood zone in environmental and protected areas.
- [47] The Respondent reviewed five comparable West Ridge Estates properties from R.1., page 7, and stated there were three properties most comparable to the subject (1. \$643,060, 4. \$544,490 and 5. \$616,170).
- [48] The Respondent indicated the comparable sales were in the same subdivision, had the same zoning, were bungalow properties, and occurred between October 3, 2023, and April 3, 2025.
- [49] The Respondent submitted that the Complainant's evidence does not support a further reduction beyond \$619,100.
- [50] The Respondent further submitted that the corrected assessment is supported by equity evidence comparing the subject property to similar assessed properties.
- [51] During questioning the Respondent stated that when comparables are chosen, sales are examined to try to find the most similar properties and attempt to come up with the most similar comparables possible.
- [52] The Respondent stated the top two comparables would be 1 and 4, as they are closer in size but older; comparable 5 is closer in age, size and location.
- [53] The Respondent stated the subject property is not in a flood zone but subject to overland flooding; there is no flood zone designation in the area by Alberta Environment.

#### **BOARD FINDINGS and DECISION**

- [54] The Board first considered the scope of the matter before it. The Board finds that the issue under appeal is the correctness of the 2025 assessment for the 2026 tax year for the subject property.

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- [55] The Board considered the Complainant's submissions and verbal evidence concerning stormwater drainage, historical flooding, surface water accumulation, and the private retention and pumping system associated with a nearby property.
- [56] The Board notes that it cannot make a decision based on the potential risk of something, in this case flooding. However, the Board felt it important for all parties to examine the presented submissions and verbal evidence of the Complainant and the Respondent.
- [57] The Board gives little weight to the historical material and engineering documentation, including a 2011 Associated Engineering Trimble Drainage Study. The Board finds that this evidence provides little to no evidence of valuation analysis or market value.
- [58] The Board also gives little to no weight to the Water Act materials and the Complaint's concerns regarding the continued availability or lawfulness of the pumping arrangement. These materials do not include an independent valuation analysis, market evidence, expert opinion on value or an assessment methodology.
- [59] The Board considered the Complaint's 2020 purchase price of approximately \$534,000. The Board gives some weight to that sale because it is an actual sale of the subject property. However, the Board gives it limited weight for the current assessment because it occurred several years before the applicable valuation date. The Board finds that more recent comparable sales evidence is more reliable for determining the 2025 assessment.
- [60] The Board then considered the Complainant's requested 30% reduction. The Board gives little weight to the 30% figure itself. The Complainant did not provide an appraisal, paired sales analysis, adjusted comparable sales, market evidence showing discount, expert valuation opinion, or equity analysis demonstrating that the subject property should be reduced by 30%.
- [61] The Board also considered whether the Complaint's requested 30% reduction should apply to the total assessment or only the land component. The Board finds that, on either interpretation, the requested reduction was not proven. A reduction of that size requires evidence showing that the market recognizes such a discount for this property or properties with similar drainage risk. The evidence was not provided.
- [62] The Board considered the Respondent's evidence. The Respondent submitted that the subject property was assessed using market value principles and mass appraisal. The Respondent provided evidence of the subject property's characteristics, comparable sales, and equity comparisons. The Board gives significant weight to this evidence because it directly addresses the assessment question before the Board: whether the assessed value is supported by market value and whether the property is assessed equitably.
- [63] The Respondent stated that a 10% negative influence factor has already been applied to the subject's land value for topographical issues. This adjustment shows that the assessment does not treat the subject property as though it has no negative physical or topographical influence on the property.

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- [64] The Board finds that the 10% negative land influence factor is important because it is the only quantified adjustment in the assessment evidence that specifically recognizes the physical or drainage-related influence. The Complainant did not provide sufficient market evidence to show that this adjustment, together with the Respondent's corrected assessment, is inadequate.
- [65] The Board considered the Respondent's evidence that a clerical error was discovered after reviewing the Complainant's disclosure and MLS information. The Respondent recommended the assessment be reduced from \$645,860 to \$619,100. The Board gives significant weight to this evidence because it is an admission by the Respondent that the original assessment should not be confirmed. The Board accepts the correction and finds that the assessment should be reduced to \$619,100.
- [66] The Board therefore gives weight to the corrected value recommended by the Respondent but does not make a separate finding about the precise administrative cause of the error. The relevant point for this appeal is that the Respondent acknowledged a clerical error in the assessment details and recommended a corrected assessment of \$619,100. The Board does not need to determine whether the error arose from the land influence or another assessment detail.
- [67] The Board then turned to the Respondent's comparable sales evidence. The Respondent provided sales from West Ridge Estates, the same subdivision as the subject property. The Board gives significant weight to sales from the same subdivision because they reflect the same market area, similar locational influences, and similar purchaser considerations.
- [68] The Board accepts that no comparable sale is identical to the subject property. The Board also accepts that the Respondent's comparable sales may not perfectly isolate the market impact of the subject property's drainage risk. However, the Board finds that the Respondent's comparable sales are the best direct market value evidence before the Board. The sales evidence is more persuasive than the Complainant's historical and engineering evidence because it addresses what properties in the market sold for.
- [69] The Board gives significant weight to the Respondent's position that the comparable sales support the corrected assessment of \$619,100. The evidence before the Board indicates that the comparable sales were in the same subdivision and involved generally similar residential properties with similar acreage. The corrected assessment is lower than the original assessment and is supported by the Respondent's sales analysis. The Board finds this evidence persuasive.
- [70] The Board also considered the Respondent's equity evidence. The Respondent compared the subject property with similar properties and concluded that the corrected assessment is below the average assessment levels for the comparable group. The Board gives moderate to significant weight to this evidence. Equity evidence is relevant because the Board must consider whether the assessment is fair when compared to similar properties in the municipality.
- [71] The Board finds that the equity evidence supports the corrected assessment. The corrected value of \$619,100 was not shown to be unfair or excessive when compared with similar assessed properties. The Complainant did not provide competing equity evidence showing that comparable properties with similar drainage risk are assessed at materially lower levels.
- [72] The Board also considered the Respondent's position that the subject property is not shown on a provincial flood hazard map. The Board gives limited weight to this evidence. The absence of a

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provincial flood designation may be relevant but does not prove that the property is unaffected by local stormwater or drainage issues. The Board notes that the absence of flood hazard mapping is relevant to the extent that the Complainants did not prove a market-recognized flood designation affecting the property's value.

- [73] The Board gives the greatest weight to the Respondent's evidence when determining the final assessment because the Board must decide the assessed value. The Respondent provided comparable sales, equity analysis, an existing negative influence adjustment, and a recommended assessment. The Complainant did not provide market valuation evidence sufficient to support a lower value.
- [74] The Board acknowledges the Complainant's issues identified in regard to drainage concerns, but the evidence does not establish the market-value impact claimed by the Complainant. Due to lack of supporting evidence for the 30% reduction due to drainage concerns, the Board was left to review the reduction request from the Respondent.
- [75] The Board therefore finds that the original assessment of \$645,860 should not be confirmed because the Respondent acknowledged a clerical error and recommended that the assessment be reduced to \$619,100.

**DECISION SUMMARY**

[76] The Board finds that the original assessed value is varied to \$619,100.

[77] Dated at the Central Alberta Regional Assessment Review Board, in the city of Red Deer, in the Province of Alberta this 8<sup>th</sup> day of July, 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*

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L. Nord, Board Clerk  
on behalf of  
D. Wielinga, 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](http://www.albertacourts.ab.ca).*

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

<u>EXHIBIT NO.</u>	<u>ITEM</u>	<u>PAGES</u>
A.1	Hearing Materials	6 pages
C.1	0263 2252 Roll 657605006 - Complainant Submission - Received June 4, 2026	4 pages
C.2	0263 2252 Roll 657605006 - Complainant Submission - Appendix A Ken Van Dewark 2001 Report - Received June 4, 2026	21 pages
C.3	0263 2252 Roll 657605006 - Complainant Submission - Appendix B Trimble Drainage Study - Received June 4, 2026	132 pages
C.4	0263 2252 Roll 657605006 - Complainant Submission - Appendix C Stormwater Management Guidelines - Received June 4, 2026	196 pages
C.5	0263 2252 Roll 657605006 - Complainant Submission - AEP Water Act - Received June 4, 2026	2 pages
C.6	0263 2252 Roll 657605006 - Complainant Submission - Market Land Details - Received June 4, 2026	1 page
C.7	0263 2252 Roll 657605006 – Complainant Rebuttal – Received June 22, 2026	5 pages
C.8	0263 2252 Roll 657605006 - Respondent Submission - Received June 17, 2026	26 pages

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**APPENDIX "B"**

## LEGISLATIVE AUTHORITIES CONSIDERED BY THE BOARD:

***Municipal Government Act, R.S.A. 2000, Chapter M-26 (the MGA)*****Interpretation****s 1(1)(n)** In this Act,

- (n) "market value" means the amount that a property, as defined in section 284(1)(r), might be expected to realize if it is sold on the open market by a willing seller to a willing buyer;

**Assessments for property other than designated industrial property****s 289(2)** Each assessment must reflect

- (a) the characteristics and physical condition of the property on December 31 of the year prior to the year in which a tax is imposed under Part 10 in respect of the property, and
- (b) the valuation and other standards set out in the regulations for that property.

**Joint establishment of assessment review boards****s.455(1)** Two or more councils may agree to jointly establish the local assessment review board or the composite assessment review board, or both, to have jurisdiction in their municipalities.**Jurisdiction of assessment review boards****s.460.1(1)** A local assessment review board has jurisdiction to hear complaints about any matter referred to in section 460(5) that is shown on

- (a) an assessment notice for
- (i) residential property with 3 or fewer dwelling units, or
- (ii) farm land

**s.460.1(2)** Subject to section 460(14) and (15), a composite assessment review board has jurisdiction to hear complaints about

- (a) any matter referred to in section 460(5) that is shown on
- (i) an assessment notice for property other than property described in subsection (1)(a)

**Decisions of assessment review board****s. 467(1)** An assessment review board may, with respect to any matter referred to in section 460(5), make a change to an assessment roll or tax roll or decide that no change is required.

- (1.1) For greater certainty, the power to make a change under subsection (1) includes the power to increase or decrease an assessed value shown on an assessment roll or tax roll.

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- (2) An assessment review board must dismiss a complaint that was not made within the proper time or that does not comply with section 460(9).
- (3) An assessment review board must not alter any assessment that is fair and equitable, taking into consideration
- (a) the valuation and other standards set out in the regulations,
  - (b) the procedures set out in the regulations, and
  - (c) the assessments of similar property or businesses in the same municipality.
- (4) An assessment review board must not alter any assessment of farm land, machinery and equipment or railway property that has been prepared correctly in accordance with the regulations.

***Matters Relating to Assessment and Taxation Regulation, 2018 A.R. 2003/2017 (MRAT)***

**Mass Appraisal**

- s. 5 An assessment of property based on market value
- (a) must be prepared using mass appraisal
  - (b) must be an estimate of the value of the fee simple estate in the property, and
  - (c) must reflect typical market conditions for properties similar to that property.

**Valuation Date**

- s. 6 Any assessment prepared in accordance with the Act must be an estimate of the value of a property on July 1 of the assessment year.

**Valuation standard for a parcel of land**

- s. 7(1) The valuation standard for a parcel of land is
- (a) market value, or
  - (b) if the parcel is used for farming operations, agricultural use value.

**Valuation standard for a parcel and improvements**

- s. 9(1) When an assessor is preparing an assessment for a parcel of land and the improvements to it, the valuation standard for the land and improvements is market value unless subsection (2) applies.

***Matters Relating to Assessment Complaints Regulation, AR 201/2017 (MRAC)***

**Personal Attendance not required**

- s. 19(1) Parties to a hearing before a panel of an assessment review board may attend the hearing in person or may, instead of attending in person, file a written presentation with the clerk.