



Complaint ID **0263 1538**  
Roll No. 667201873

LOCAL ASSESSMENT REVIEW BOARD DECISION  
HEARING DATE: MAY 25, 2022

PRESIDING OFFICER: R. SCHNELL  
BOARD MEMBER: R. BROWN  
BOARD MEMBER: D. DEY

BETWEEN:

RICHARD CAMPBELL

Complainant

-and-

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: 667201873

MUNICIPAL ADDRESS: 2018 35468 Range Road 30, Red Deer County, AB

ASSESSMENT AMOUNT: \$168,100

The complaint was heard by the Local Assessment Review Board on the 25<sup>th</sup> day of May 2022, by Virtual Hearing using Zoom, in the province of Alberta.

Appeared on behalf of the Complainant: No one appeared on behalf of the Complainant

Appeared on behalf of the Respondent: Heather Giroux, Assessor; County of Red Deer  
Brigitte Boomer, Assessment Services Manager;  
County of Red Deer

**DECISION:** Based on the reasons herein, the Board finds that the complaint is dismissed.

**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 located at site #2018 35468 Range Road 30 within the Gleniffer Lake Resort. Legal Description Plan 9820277; Unit 18; E-25-35-3-5.

[3] The assessment class is listed as Residential (Condominium), lot size is 0.06 acres and improvement.

[4] The current assessment complaint (Complaint ID: 0263 1538) was filed by the Complainant on March 9, 2022.

**PRELIMINARY MATTERS**

[5] The Board noted the Complainant was not in attendance at the hearing. The Board acknowledged Email correspondence in the hearing materials dated March 21, 2022, in which Board administration sought scheduling requests for hearing dates from the Complainant. As well, the Complainant’s response dated March 21, 2022, indicated “I can’t be at the hearing so I will have to abide by the results.”

[6] The Respondent requested the Complaint be dismissed due to the Complainant not filing evidence supporting his grounds for complaint. The Respondent submitted there was no specific information in evidence to be refuted or rebutted.

**THE BOARD’S FINDINGS OF FACT AND REASONS FOR DECISION**

[7] The Board confirmed the Complainant was notified of the date, the time and the location of the hearing by way of the Notice of Hearing dated April 6, 2022. Further the Board confirmed no request for postponement or adjournment had been received from the Complainant.

[8] The Notice of Hearing sent to the Complainant specified that their evidence must be filed with the Board and the Respondent, Red Deer County Assessment on or before May 3rd, 2022. No evidence was received from the Complainant by either the Board or the Respondent. Since the Complainant has not filed evidence in support of its grounds for complaint by the date outlined on the Notice of Hearing, there are no specific details in evidence for the Respondent to respond.

[9] The Board notes that section 5(2)(a)(i) of *Matters Relating to Assessment Complaints Regulation* (MRAC) provides as follows:

**(2)** If a complaint is to be heard by a local assessment review board panel, the following rules apply with respect to the disclosure of evidence:

- (a) the complainant must, at least 21 days before the hearing date,
  - (i) disclose to the respondent and the local assessment review board the documentary evidence, a summary of the testimonial evidence, including any signed witness reports, and any written argument that the complainant intends to present at the hearing in sufficient detail to allow the respondent to respond to or rebut the evidence at the hearing, and
  - (ii) provide to the respondent and the local assessment review board an estimate of the amount of time necessary to present the complainant's evidence;

[10] The Board finds that the Complainant failed to comply with Section 5(2)(a)(i) of MRAC.

[11] The Board also notes MRAC section 6, provides as follows:

**6** A local assessment review board panel must not hear

- (a) any matter in support of an issue that is not identified on the complaint form, or
- (b) any evidence that has not been disclosed in accordance with section 5.

[12] The Board finds that since there is no evidence disclosed by the Complainant "in accordance with section 5", even had the Complainant been in attendance, section 6 of MRAC would have precluded the Board from hearing any additional evidence in support of the Complainant's Complaint.

[13] The Board, notes that s. 5(2)(a) expressly contemplates that the Respondent will have the opportunity to put forth a full and robust response to the complaint. The Board finds fair and equitable treatment of both Parties can only be achieved by dismissing the complaint.

**DECISION SUMMARY**

[14] Based on the reasons herein, the Board finds that the complaint is dismissed.

[15] Dated at the Central Alberta Regional Assessment Review Board, in the city of Red Deer, in the Province of Alberta this 23rd day of June 2022 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.

*Lori Stubbard*

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Lori Stubbard, Board Clerk)

for

R. Schnell, Presiding Officer

*If you wish to appeal this decision you must follow the procedure found in section 470 of the MGA which requires an application for judicial review to be filed and served not more than 60 days after the date of the decision. Additional information may also be found at [www.albertacourts.ab.ca](http://www.albertacourts.ab.ca).*

**APPENDIX**

Documents presented at the Hearing and considered by the Board.

NO.

ITEM

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| 1. A.1 | Hearing Materials – 8 pages provided by Clerk & 1 page re: Complainant Response |
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