



Board Order 2026-010

IN THE MATTER OF A COMPLAINT filed with the Regional Municipality of Wood Buffalo Composite Assessment Review Board (CARB) pursuant to Part 11 of the *Municipal Government Act* being chapter M-26 of the revised statutes of Alberta 2000.

BETWEEN:

Fairsight Real Estate Corporation, as represented by owner Ken Williamson –
Complainant

- and -

Regional Municipality of Wood Buffalo (RMWB) – Respondent

BEFORE:

Members:

H. Williams, Presiding Officer

T. Salisbury, Member

S. Schaffer, Member

Staff:

A. Hawkins, Clerk

BACKGROUND AND DESCRIPTION OF PROPERTY UNDER COMPLAINT

[1] A hearing was convened on August 26, 2026, in the Regional Municipality of Wood Buffalo in the Province of Alberta to consider a complaint about the assessment of the following property:

Assessment Roll Number	30620450
Civic Address	C5 380 MacKenzie Boulevard Fort McMurray, Alberta
Owner	Fairsight Real Estate Corporation
File Number	ARB 26-039

PROCEDURAL MATTERS

- [2] The CARB derives its authority to make decision under Part 11 of the *Municipal Government Act*, R.S.A. 2000, c. M-26.
- [3] The parties confirmed that they had no objections to the composition of the Board.
- [4] The Board confirmed it had no bias in relation to the matters.

PRELIMINARY MATTERS***Issue***

- [5] Does the Complainant's rebuttal information meet the direction for disclosure as directed in the *Matters Relating to Assessment Complaints Regulation, 2018 AR201/2017 section 9(2) (c)*?

Position of the Respondent

- [6] The Respondent asked the Board to strike Complainant rebuttal document C-8 (114 pages) and pages 12, 13, 14, and 15 of rebuttal document C-7.
- [7] The Respondent argued that the information contained in these documents is additional information to further strengthen and explain the Complainant's argument and were not in response to the Respondent's disclosed information. The Respondent further argued that the information under objection was available at the time of the Complaint's initial evidence submission but was not included, which did not give the Respondent an opportunity to address it in their evidence submission.
- [8] The Respondent characterized the rebuttal information as new evidence and argued that this amounted to "case splitting" or arguing the complaint issues under two different evidence submissions.

Position of the Complainant

- [9] The Complainant argued that the rebuttal information under objection was intended as clarifying information to assist the Respondent to better understand the evidence in the Complainant's evidence submission.
- [10] The Complainant argued that the information should be considered in the hearing because it would provide a more complete explanation before the Board in terms of the difference between the subject property under complaint and a completely finished similar unit and the costs associated with a completed unit.

PRELIMINARY DECISION

[11] It is the decision of the Composite Assessment Review Board to remove the rebuttal information outlined by the Respondent from the hearing evidence.

REASONS FOR PRELIMINARY DECISION

[12] The Board found that the rebuttal information under objection was new information that had not been initially disclosed and that the information was available and could have been included in the initial disclosure.

[13] The Board found that the rebuttal information under objection was not directly in response to the Respondent’s evidence disclosure and was primarily new information.

[14] Upon being questioned by the Board the Complainant indicated that they could proceed with the complaint without reliance on the rebuttal information under question.

ISSUES

Issue identified on the complaint form	Assessment Amount	Requested Value
An Assessment Amount	\$428,930	\$300,000

MERIT MATTERS

Position of the Complainant

[15] The Complainant provided an evidentiary document that contained a summary of the requested assessment amount, explaining that two condominium units had been purchased in October of 2025 for \$600,000 and contending that market value for the subject would be \$300,000.

[16] A description of the subject property under appeal, as well as photos and floor plans for the subject were included. Also included was lease information regarding the subject and a chart representing alteration work needed to be done on the subject as well as a listing of building code issues to rectify for single unit occupancy.

[17] A chart of sales of 13 properties said to be comparable to the subject was included along with advertising information and land titles documents pertaining to the comparable properties.

[18] Also included was information on investment yield analysis using 5 comparable properties and resulting in investment yield percentages ranging from 9.7 to 14.

[19] The Complainant argued that the most direct indication of market value for the subject is the bulk sale of the two units (one of which is the subject) at \$600,000, which would indicate a value of \$300,000 for the subject. He did recognize that the sale could be considered “post-facto” by the Respondent (after the regulated valuation date of July 1st 2025) but contended that regardless the sale was the best value indicator.

[20] The Complainant explained that the units were used in conjunction with each other as one space and that to have each unit function separately would require alteration work to each unit and further argued that the Respondent’s assessment did not take into account this situation nor recognize the lesser value of the separate units because of the cost of the work that would be required to make independent units.

[21] The Complainant argued that in the present situation of joint use of units it would be difficult to estimate lease revenue per unit to meet the Respondent’s method of a single unit valuation based on income.

[22] The Complainant acknowledged that the 3 comparable sales used by the Respondent were in the same complex, however he argued there is no recognition of the differences in the finish characteristics and the joint use of the subject versus the comparables.

[23] The Complainant cited a July 2025 advertised price for units C3 to C6 in the same complex as the subject for \$1.33 million, which if divided by 4 would indicate a value of approximately \$332,500 per unit and that it would not be the case that market value could exceed the \$332,500 since that was the asking price.

[24] The Complainant explained that in order for the subject to operate as the equivalent of an independent unit, several issues with building code requirements such as HVAC alterations, installation of fire rated stairwell and exterior exit, safety adds to stairwell, and installation of fire rated doors would have to be rectified.

[25] The Complainant explained that the chart of needed alteration costs was provided to illustrate the work and costs associated with having the subject operate as a single unit. It was not meant as a direct deduction from the assessment but to recognize that there would be a lesser value for the subject at present since it is not set up to operate singularly.

[26] Given the foregoing information, the Complainant re-stated that the best indicator of value for the subject would be the bulk sale of units C1 and C2 at \$600,000 leaving a value of \$300,000 for each unit and asked the Board to alter the assessment of the subject to \$300,000.

Position of the Respondent

[27] The Respondent provided an evidentiary document that contained information on legislation and regulation that governs the assessment of property in Alberta, particularly the *Matters Relating to Assessment and Taxation regulation, 2018, Alta. Reg. 203/17*, (MRAT). MRAT stipulates the use of Mass Appraisal for assessments.

[28] Also included was information on the normal approaches to value for appraisal and assessment (Cost approach, Direct Sales Comparison approach, Income approach). In the case of the subject the income approach was used and further information about typical rent, lease types, typical expenses, typical vacancy allowances, and capitalization rates were provided. The document also contained location information and photos of the subject.

[29] An income proforma for the subject was provided showing a market value of \$428,930, as well as Information on the sales of 3 properties comparable to the subject.

[30] Excerpts of court decisions were provided including *Calgary (City) v. Lougheed & Company, 2001 ABQB 371* dealing with the valuation of single vs collective use condominiums.

[31] An analysis chart of the Complainant's comparable sales properties was provided along with excerpts from the Municipal Government Act sec. 290.1(1) and 290.2 dealing with the assessment of condominium units.

[32] Excerpts from the *Matters Relating to Assessment Complaints Regulation 2018, AR201/2017* dealing with disclosure of evidence were included.

[33] A critique of the Complainant's alteration work chart was included.

[34] Information on the derivation of capitalization rates for the income approach used to value the subject was provided as well as information on 8 comparable properties intended to show the assessment equity relationship between the subject and the comparable properties.

[35] The Respondent argued that the bulk sale of units C1 and C2 were post facto sales (after the July 1st, 2025, regulated valuation date) and the \$600,000 price did not indicate a typical market value for a condominium unit such as the subject.

[36] The Respondent referred to a chart showing information for 3 comparable properties that had sold within the same complex as the subject and explained that sale prices for the properties ranged from \$178.47 per square foot (sf) to \$221.15 / sf and that the assessed value of the subject at \$206.22 falls within the sales range. Property sizes ranged from 3,229 sf to 2,080 sf versus the subject at 2,160 sf.

[37] The Respondent contended that this information showed that the assessment of the subject reflects market value.

[38] The respondent referred to the case of *Calgary (City) v. Lougheed & Company, 2001 ABQB 371* where at paragraph 16 of the decision it reads:

[16] the assessment must be completed in accordance with the legislation. Section 290.1(1) of the M.G.A. directs the assessor to assess each unit and the share in the common property that is assigned to it. Subsection (b) then states that in any case (other than a bare land condominium) the unit must be assessed as if it is a parcel of land and the improvements. "Unit" is defined in the Condominium Property Act as a "space that is situated within a building and described as a unit in a condominium plan by reference to floors, walls and ceilings within a building".

[39] The Respondent argued that this case demonstrated that a bulk sale of condominium properties is not a reliable indicator of market value because each condominium unit must be valued as a separate stand-alone condominium property.

[40] A chart of analysis of the Complainant's 13 comparable sales properties (including the subject) was referred to by the Respondent, whereby the sale of units C1, C2 – 380 Mackenzie Blvd. and units C3 to C6 380 MacKenzie Blvd. were shown as post facto and bulk sales, unit 25 – 380 MacKenzie Blvd. was shown as non-arm's length, unit 6- 190 MacAlpine Crescent was shown as 7.83 times larger than the subject and 22 years older, unit 10 and unit 11 – 190 MacAlpine Crescent were shown as non-arm's length and 22 years older, 8128 Manning Avenue was shown as a non-condo warehouse, 133 Mackenzie Street was shown as non-condo warehouse /judicial sale/ 4 times larger than the subject, 225 Mackay Crescent was shown as non-condo warehouse / judicial sale /7.04 times larger than the subject, 191 MacKay Crescent was shown as non-condo warehouse and 10.65 times larger than the subject, and 340 MacLennan Blvd. was shown as non-condo warehouse and 6.73 time larger than the subject.

[41] The Respondent argued that none of the Complainant's comparable sales properties were reliable indicators of market value for the subject because of the significant differences between the comparables and the subject.

[42] In terms of the Complainant's information on alteration costs needed to bring the subject to an independent operating unit, the respondent argued that the chart provided by the Complainant was unclear on what costs would incur and to what extent and that this information would not be a consideration in a market sales comparable analysis for a single condominium unit.

[43] In terms of the capitalization rate used in the assessment calculation for the subject, the Respondent commented that information had been provided but that a specific argument about capitalization rates did not arise for this hearing.

[44] The Respondent explained that information on the assessments of 8 comparable properties had been provided to show that the subject had been treated equitably in assessment with other similar properties. The subject and the comparables were all assessed using main floor rent of \$19.75 / sf, upper floor rent of \$13.035 / sf, a vacancy rate of 12%, a structural allowance of 5%, recoverable expenses of \$13 / sf, and a cap rate of 7.25%.

[45] Given the foregoing information the Respondent asked the Board to confirm the assessment of the subject at \$428,930.

DECISION

[46] It is the Decision of the CARB to confirm the assessment of the subject property at \$428,930.

REASON FOR DECISION

[47] In making its decision, the Board placed the most weight on the sales of comparable properties provided by the Respondent. The comparables were all stand alone condominium warehouses within the same industrial park as the subject, and all sold within a four-year period of the 2025 assessment year. The subject size and estimated market value fell well within the range of the size and sale value of the comparables.

[48] The Board did not place weight on the sale of the subject property as a reliable indicator of market value. The subject was sold as part of a bulk sale (two units) and was described as used jointly with another unit rather than as a stand-alone complete unit able to operate separately.

[49] The Board was guided by section 290.1(1) of the *M.G.A.* The Board finds that this section provides direction that each condominium unit must be assessed as a separate unit and its share of common property.

[50] The Board found that the sales of comparable properties provided by the Complainant were not reliable indicators of value because of the differences between these comparables and the subject. Differences such as being part of a bulk sale of units, size, and some being non-condo warehouses.

[51] The Board did not place weight on the building code compliance and alteration cost information provided by the Complainant because the information pertained to the need for alteration and compliance to have the subject able to operate as a stand-alone rental unit, whereby the Board views the requirement of assessment of condominium units must reflect the unit value as a single titled unit and its share of the common property.

[52] Although the Complainant did not bring forward an assessment equity argument, the Board gave consideration to the assessment equity information provided by the Respondent that demonstrated equitable treatment in assessed value for individual condominium warehouse units.

[53] In coming to its conclusion, the Board has reviewed the provisions of the *Municipal Government Act* (“MGA”), the *Matters Relating to Assessment Complaints Regulation* (“MRAC”) and the *Matters Relating to Assessment and Taxation Regulation* (“MRAT”).

[54] It is so ordered.

DISSENTING OPINION

[55] There was no dissenting opinion.

[56] The decision of the Composite Assessment Review Boards is final and binding on all parties. 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*.

Dated at the Regional Municipality of Wood Buffalo in the Province of Alberta, this 16th day of September, 2026.

s 20(1) - Access to Information Act

H. Williams, Presiding Officer

APPENDIX A

DOCUMENTS RECEIVED AND CONSIDERED BY THE CARB

Exhibit Number	Description
C-1	ARB 26-039 Complaint Form (1 page)
C-2	ARB 26-039 Complainant Disclosure (171 pages)
R-3	ARB 26-039 RMWB Assessment Disclosure (98 pages)
R-4	ARB 26-039 Decision Calgary (City) v. Loughheed & Company, 2001 ABQB 371 (11 pages)
R-5	ARB 26-039 Decision Calgary Assessment Review Board – CARB 70537/2013-P (5 pages)
R-6	ARB 26-039 RMWB Law & Legislation Brief (58 pages)
C-7	ARB 26-035-26-040 Complainant Rebuttal (17 pages)
C-7.1	Redacted ARB 26-035-26-040 Complainant Rebuttal (17 pages)
C-8	ARB 26-035 – 26-040 Complainant Rebuttal Binder (114 pages)

APPENDIX B

REPRESENTATIONS

Person Appearing	Capacity
Ken Williamson	Complainant
Samson Ahensan	Assessor, Regional Municipality of Wood Buffalo, for the Respondent

APPENDIX C

LEGISLATION

Municipal Government Act, R.S.A. 200, c. M-26

Assessment of condominium unit

290.1(1) Each unit and the share in the common property that is assigned to the unit must be assessed

(a) in the case of a bare land condominium, as if it is a parcel of land, or

(b) in any other case, as if it is a parcel of land and the improvements to it.

(2) In this section, “unit” and “share in the common property” have the meanings given to them in the Condominium Property Act.

Assessment of strata space

290.2 Each strata space as defined in section 86 of the Land Titles Act must be assessed as if it is a parcel of land and the improvements to it.

Judicial review

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.

Matters Relating to Assessment and Taxation Regulation 2018 – AR 203/2017

Disclosure of evidence

9(1) In this section, “complainant” includes an assessed person who is affected by a complaint who wishes to be heard at the hearing.

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

(c) the complainant must, at least 7 days before the hearing each witness, and any written argument that the complainant intends to present at the hearing in rebuttal to the disclosure made under clause (b) in sufficient detail to allow the respondent to respond to or rebut the evidence at the hearing.

Matters Relating to Assessment Complaints Regulation 2018 – AR 201/2017
