

*UPDATES TO AN EXISTING REGULATION
FOR DISCUSSION PURPOSES ONLY
**MATTERS RELATING TO ASSESSMENT
AND TAXATION REGULATION**

Table of Contents

1 Definitions

**Part 1
Standards of Assessment**

2 Mass appraisal

3 Valuation date

4 Valuation standard for a parcel of land

5 Valuation standard for improvements

6 Valuation standard for a parcel and improvements

7 Valuation standard for railway

8 Valuation standard for linear property

9 Valuation standard for machinery and equipment

10 Quality standards

11 When permitted use differs from actual use

**Part 2
Recording and Reporting
Property Information**

12 Duty to record information

13 Liability code

14 Duty to provide information to the Minister

15 Corrections or changes

**Part 3
Equalized Assessment**

16 Information provided by municipality under section 319(1) of Act

17 Preparation of equalized assessment

18 Limit on increases in equalized assessments

19 City of Lloydminster

**Part 4
Assessment Audits**

20 Assessment audits

FOR DISCUSSION PURPOSES ONLY

**Part 5
Property Tax Exemption for
Residences and Farm Buildings**

- 21 Definitions
- 22 Exemptions from property tax
- 23 Exemptions-Strathcona County
- 24 Exemptions-Wood Buffalo
- 25 Exemptions-Mackenzie County
- 26 Exemptions-Jasper
- 27 Exemptions-farm buildings

**Part 5.1
Assessment Information**

- 27.1 Definitions
- 27.2 Assessment record
- 27.3 Key factors and variables of valuation model
- 27.4 Access to assessment record
- 27.5 Access to summary of assessment
- 27.6 Compliance review
- 27.7 Contents of assessment notice
- 27.8 Transition

**Part 6
Repeal, Expiry and Coming into Force**

- 28 Repeal
- 29 Expiry
- 30 Coming into force

Schedule

Definitions

1 In this Regulation,

- (a) “Act” means the *Municipal Government Act*;
- (b) “agricultural use value” means the value of a parcel of land based exclusively on its use for farming operations;
- (c) “assessment level” means, for the property assessment class, the overall ratio of assessments to indicators of market value;
- (d) repealed AR 307/2006 s2;

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- (e) “assessment ratio” means the ratio of the assessment to an indicator of market value for a property;
- (f) “assessment year” means the year prior to the taxation year;
- (g) “coefficient of dispersion” means the average percentage deviation of the assessment ratios from the median assessment ratio for a group of properties;
- ~~(h) “farm building” means any improvement other than a residence, to the extent it is used for farming operations;~~
- ~~(i) “farming operations” means the raising, production and sale of agricultural products and includes
 - ~~(i) horticulture, aviculture, apiculture and aquaculture,~~
 - ~~(ii) the production of horses, cattle, bison, sheep, swine, goats, fur bearing animals raised in captivity, domestic cervids within the meaning of the *Livestock Industry Diversification Act*, and domestic camelids, and~~
 - ~~(iii) the planting, growing and sale of sod;~~~~
- ~~(j) “machinery and equipment” means materials, devices, fittings, installations, appliances, apparatus and tanks other than tanks used exclusively for storage, including supporting foundations and footings and any other thing prescribed by the Minister that forms an integral part of an operational unit intended for or used in
 - ~~(i) manufacturing,~~
 - ~~(ii) processing,~~
 - ~~(iii) the production or transmission by pipeline of natural resources or products or by products of that production, but not including pipeline that fits within the definition of linear property in section 284(1)(k)(iii) of the Act,~~
 - ~~(iv) the excavation or transportation of coal or oil sands as defined in the *Oil Sands Conservation Act*,~~
 - ~~(v) a telecommunications system, or~~
 - ~~(vi) an electric power system other than a micro-generation generating unit as defined in the *Micro-Generation Regulation (AR 27/2008)*,~~~~

FOR DISCUSSION PURPOSES ONLY

~~whether or not the materials, devices, fittings, installations, appliances, apparatus, tanks, foundations, footings or other things are affixed to land in such a manner that they would be transferred without special mention by a transfer or sale of the land;~~

- (k) “mass appraisal” means the process of preparing assessments for a group of properties using standard methods and common data and allowing for statistical testing;
- (l) “median assessment ratio” means the middle assessment ratio when the assessment ratios for a group of properties are arranged in order of magnitude;
- (l.1) “Minister’s Guidelines” means the Minister’s Guidelines established by the Minister, including the following:
 - (i) Alberta Assessment Quality Minister’s Guidelines;
 - (ii) Alberta Farm Land Assessment Minister’s Guidelines;
 - (iii) Alberta Linear Property Assessment Minister’s Guidelines;
 - (iv) Alberta Machinery and Equipment Assessment Minister’s Guidelines;
 - (v) Alberta Railway **Property** Assessment Minister’s Guidelines;
 - (vi) any of the above guidelines that are referred to in
 - (A) the *Matters Relating to Assessment and Taxation Regulation* (AR 289/99), and
 - (B) the *Standards of Assessment Regulation* (AR 365/94);
 - (vii) the 2005 Construction Cost Reporting Guide established by the Minister and any previous versions of the Construction Cost Reporting Guide established by the Minister;
- (m) “overall ratio” means the weighted ratio for a group of properties, calculated using the median assessment ratios for subgroups of properties within that group;
- (n) “regulated property” means

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- (i) land in respect of which the valuation standard is agricultural use value,
- ~~(ii) a railway,~~
- (iii) linear property, or
- (iv) machinery and equipment.

AR 220/2004 s1;307/2006;245/2008

Interpretation provisions for Parts 9 to 12 of the Act

1.1(1) For the purposes of Parts 9 to 12 of the Act and this Regulation,

- (a) “electric distribution system” means
 - (i) a system, works, plant, equipment or service for the delivery, distribution or furnishing, directly to consumers, of electric energy for which rates are regulated by the Alberta Utilities Commission, or
 - (ii) a system, works, plant, equipment or service for the delivery, distribution or furnishing, directly to consumers, of electric energy by a rural electrification association under the *Rural Utilities Act*.

but does not include land, buildings or an electric generation system or an electric transmission system;

- (b) “electric generation system” means a system used or intended to be used for the generation and gathering of electric energy from any source, including all machinery, installations, materials, devices, fittings, apparatus, appliances and equipment that form part of the system, but subject to an order under section 1.2 does not include
 - (i) a system owned or operated by a person generating or proposing to generate electricity solely for the person’s own use,
 - (ii) a micro-generation generating unit as defined in the *Micro-generation Regulation* (AR 27/2008), or
 - (iii) land or buildings;

- (c) “electric power system” means an electric distribution system, an electric generation system or an electric transmission system;

Aligns with the policy in the *Extension of Linear Property Regulation* that will be repealed once this amendment regulation comes into force. Clarifies and updates by distinguishing components of generation, transmission and distribution for the purposes of designated industrial property assessment going forward.

FOR DISCUSSION PURPOSES ONLY

- (d) “electric transmission system” means a system or arrangement of lines of wire or other conductors and transformation equipment situated wholly in Alberta whereby electric energy, however produced, for which rates are regulated by the Alberta Utilities Commission is transmitted in bulk, and includes
- (i) transmission circuits composed of the conductors that form the minimum set required to transmit electric energy,
 - (ii) insulating and supporting structures,
 - (iii) substations, and
 - (iv) operational and control devices,
- but does not include land, buildings, an electric generation system or an electric distribution system;
- (e) “farm building” means any improvement other than a residence, to the extent it is used for farming operations;
- (f) “farming operations” means the raising, production and sale of agricultural products and includes
- (i) horticulture, aviculture, apiculture and aquaculture,
 - (ii) the production, raising and sale of
 - (A) horses, cattle, bison, sheep, swine, goats or other livestock,
 - (B) fur-bearing animals raised in captivity,
 - (C) domestic cervids within the meaning of the *Domestic Cervid Industry Regulation* (AR 188/2014), or
 - (D) domestic camelids,
 - (iii) the planting, growing and sale of sod, and
 - (iv) an operation on a parcel of land for which a woodland management plan has been approved by the Woodlot Association of Alberta or a forester registered under *Regulated Forestry Profession Act* for the production of timber primarily marketed as whole logs, seed clones or Christmas trees,

Amended to provide clarity for livestock. Include new clauses to address woodlot operations and that farming operations does not include stripped land for future development.

FOR DISCUSSION PURPOSES ONLY

but does not include any operation or activity on land that has been stripped for the purposes of, or in a manner that leaves the land more suitable for, future development;

- (g) “machinery and equipment” means materials, devices, fittings, installations, appliances, apparatus and tanks, other than tanks used exclusively for storage, including supporting foundations, footings and any other thing prescribed by the Minister that forms an integral part of an operational unit intended for or used in
- (i) manufacturing,
 - (ii) processing,
 - (iii) the production or transmission by pipeline of natural resources or products or by-products of that production, but not including pipeline as defined in clause (i),
 - (iv) the excavation or transportation of coal or oil sands as defined in the *Oil Sands Conservation Act*,
 - (v) a telecommunications system, or
 - (vi) an electric power system, other than a micro-generation generating unit that is the subject of an order under section 1.2,

whether or not the materials, devices, fittings, installations, appliances, apparatus, tanks, foundations, footings or other things are affixed to land in such a manner that they would be transferred without special mention by a transfer or sale of the land;

- (h) “operator”, in respect of designated industrial property, means
- (i) the licensee, as defined in the *Pipeline Act*,
 - (ii) the licensee, as defined in the *Oil and Gas Conservation Act*, or
 - (iii) the person who has applied in writing to and been approved by the Minister as the operator,

or, where none of subclauses (i), (ii) or (iii) applies, the owner;

- (i) “pipeline” means any continuous string of pipe, including loops, bypasses, cleanouts, distribution meters, distribution regulators, remote telemetry units, valves,

Aligns with the *MMGA* to include “operator” definition in the regulation as a component of the overall policy of centralization. The definition is the same as previously provided in the *MGA*.

Aligns with the *MMGA* to include “pipeline” definition in the regulation as a component of the overall policy of centralization. Clearly defines pipelines by separating it from wells. Aligns with industry’s definition of pipelines.

FOR DISCUSSION PURPOSES ONLY

fittings and improvements for the protection of pipelines used or intended for use in gathering, conveying, transporting, distributing or disposal of any substance or combination of substances, but does not include

- (i) a pipe used or intended for use to convey water, other than in connection with
 - (A) a facility, scheme or other matter authorized under the *Oil and Gas Conservation Act* or the *Oil Sands Conservation Act*, or
 - (B) a coal processing plant or other matter authorized under the *Coal Conservation Act*,
- (ii) a regulating or metering station or the inlet valve or outlet valve in any processing, refining, manufacturing, marketing, transmission line pumping, heating, treating, separating or storage facility or any installation, material, device, fitting, apparatus, appliance, machinery or equipment between those valves,
- (iii) a pipe, installation, material, device, fitting, apparatus, appliance, machinery or equipment between valves referred to in subclause (ii), or
- (iv) land or buildings;
- (j) “railway property” means
 - (i) the continuous strip of land owned or occupied by a person as a right-of-way for trains leading from place to place in Alberta, but does not include
 - (A) land outside the right-of-way, or
 - (B) land used by the person for purposes other than the operation of trains,
 - (ii) grading, ballasts or improvements located within or outside a right-of-way for trains and used in the operation of trains, and
 - (iii) the improvements that form part of a telecommunications system used or intended for use in the operation of trains,

Aligns with the *MMGA* to include “railway” definition in the regulation as a component of the overall policy of centralization.

but does not include any part of an amusement railway, heritage railway or public railway as defined in the *Railway (Alberta) Act*;

FOR DISCUSSION PURPOSES ONLY

Aligns with the *MMGA* to include “street lighting systems” definition in the regulation as a component of the overall policy of centralization.

Aligns with the *MMGA* to include “telecommunications” definition in the regulation as a component of the overall policy of centralization.

(k) “street lighting systems” includes structures, installations, fittings and equipment used to supply light, but does not include land or buildings;

(l) “telecommunications systems” includes

(i) a system used or intended to be used for the transmission, emission, reception, switching, storage, compilation, transformation or manipulation of information or intelligence of any nature by cable distribution undertakings and telecommunication carriers that are subject to the regulatory authority of the Canadian Radio-television and Telecommunications Commission or any successor of the Commission, and

(ii) the items listed in the Minister’s guidelines under section 322(2) of the Act as components of a system referred to in subclause (i),

but does not include a private system to which the public is not intended to have access, a radio communications system intended for direct reception by the public or any land or buildings,

(m) “well” includes

(i) any pipe in a well that is used or intended for use in

(A) obtaining gas or oil, or both, or any other mineral,

(B) injecting or disposing of water, steam, salt water, glycol, gas or any other substance to an underground formation,

(C) supplying water for injection to an underground formation, or

(D) monitoring or observing performance of a pool, aquifer or an oil sands deposit,

(ii) well head installations or other improvements located at a well site used or intended for use for any of the purposes described in subclause (i) or for the protection of the well head installations,

(iii) the land that forms the site of a well used for any of the purposes described in subclause (i) if it is by way of a lease, licence or permit from the Crown,

Was defined indirectly in the definition of pipelines in the *MGA*. Separating “well” from “pipeline” aligns with industry definitions and provides clarity to assessors. Improves consistency for annual property assessments of well properties. Captures ancillary improvements and land for the purpose of annual property assessment.

FOR DISCUSSION PURPOSES ONLY

- (iv) a building at a well site that contains machinery and equipment related to the well.

(2) Subsection (1)(a) to (e) do not apply in respect of section 360 of the Act.

(3) Property is to be considered operational

Stipulates when described individual property types are operational and thus assessable for the first time. This will be used for preparing supplementary assessments of these properties. The current practice of assessing buildings based on percentage completed at year end will be maintained.

(a) in the case of linear property referred to in section 291(2)(a) of the Act

(i) that is an electric power system, on and after

- (A) the date specified in the energization certificate issued by the Alberta Electric System Operator operating as the Independent System Operator under the *Electric Utilities Act*,
- (B) if there is no energization certificate, the date on which, according to written information from the Alberta Electric System Operator operating as the Independent System Operator under the *Electric Utilities Act*, the system commences operating, or
- (C) if there is no energization certificate and the written information referred to in paragraph (B) is unavailable, the date on which the system commences operating, as confirmed in writing by the owner of the system,

(ii) that is a pipeline, on and after

- (A) the date on which the pipeline is placed in service, as confirmed in writing by the Alberta Energy Regulator, or
- (B) if confirmation of the date referred to in paragraph (A) is unavailable from the Alberta Energy Regulator, the date on which, according to written information from the National Energy Board, leave to open the pipeline is granted under the *National Energy Board Act (Canada)*, or
- (C) if confirmation of the date referred to in paragraph (A) is unavailable from the Alberta Energy Regulator and the written information referred to in paragraph (B) is unavailable, the date on which the pipeline commences

FOR DISCUSSION PURPOSES ONLY

operating, as confirmed in writing by the owner of the pipeline,

(iii) that is a telecommunications system, on and after the date on which the system commences operating, as confirmed in writing by the owner of the system,

(iv) that is a well, on and after

(A) the finished drilling date for the well according to the records of the Alberta Energy Regulator, as confirmed in writing by the Regulator, or

(B) if confirmation of the finished drilling date referred to in paragraph (A) is unavailable from the Alberta Energy Regulator, the finished drilling date as confirmed in writing by the owner of the well,

(b) in the case of machinery and equipment that

(i) is a new improvement referred to in section 291(2)(b) or (d) of the Act, or

(ii) is referred to in section 314 of the Act,

on and after the date, as confirmed in writing by the operator, on which the machinery or equipment commences operating for its intended purpose,

(c) in the case of a new designated industrial property improvement referred to in section 291(2)(c) or (e) of the Act that is designated as a major plant in the Alberta Machinery and Equipment Assessment Minister's Guidelines, on and after the date, as confirmed in writing by the operator, on which the major plant commences operating for its intended purpose, and

(d) in the case of new designated industrial property referred to in section 314.1 of the Act, other than linear property referred to in clause (a), on and after the date, as confirmed in writing by the operator, on which the designated industrial property commences operating for its intended purpose.

Aligns with the *MMGA* that proposes designated industrial property includes property designated as major plants by the regulations.

Provides the Minister with the ability to by order deem an electric power generation system defined in the regulation and repeal the *Extension of Linear Property Regulation* once this amendment regulation comes into force.

Deeming order

1.2 The Minister may, by order, direct that a system referred to in section 1.1(1)(b)(i) or a micro-generation generating unit referred to in section 1.1(1)(b)(ii) that is specified in the order is an electric power system for the purposes of the Act.

FOR DISCUSSION PURPOSES ONLY

Part 1 Standards of Assessment

Mass appraisal

- 2** 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

- 3** 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

- 4(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.
- (2)** In preparing an assessment for a parcel of land based on agricultural use value, the assessor must follow the procedures set out in the Alberta Farm Land Assessment Minister's Guidelines.
- (3)** Despite subsection (1)(b), the valuation standard for the following property is market value:
- (a) a parcel of land containing less than one acre;
 - (b) a parcel of land containing at least one acre but not more than 3 acres that is used but not necessarily occupied for residential purposes or can be serviced by using water and sewer distribution lines located in land that is adjacent to the parcel;
 - (c) an area of 3 acres located within a larger parcel of land where any part of the larger parcel is used but not necessarily occupied for residential purposes;
 - (d) an area of 3 acres that

FOR DISCUSSION PURPOSES ONLY

- (i) is located within a parcel of land, and
 - (ii) can be serviced by using water and sewer distribution lines located in land that is adjacent to the parcel;
- (e) any area that
- (i) is located within a parcel of land,
 - (ii) is used for commercial or industrial purposes, and
 - (iii) cannot be serviced by using water and sewer distribution lines located in land that is adjacent to the parcel;
- (f) an area of 3 acres or more that
- (i) is located within a parcel of land,
 - (ii) is used for commercial or industrial purposes, and
 - (iii) can be serviced by using water and sewer distribution lines located in land that is adjacent to the parcel.

(4) An area referred to in subsection (3)(c), (d), (e) or (f) must be assessed as if it is a parcel of land.

(5) The valuation standard for strata space, as defined in section 86 of the *Land Titles Act*, is market value.

AR 220/2004 s4:307/2006

Valuation standard for improvements

5(1) The valuation standard for improvements is

- (a) the valuation standard set out in section 7, 8 or 9 or 9.1, for the improvements referred to in those sections, or
- (b) for other improvements, market value.

(2) For the purposes of section 298(1)(y) of the Act, an assessment must be prepared for any farm building located in a city, town, village or summer village.

(3) In preparing an assessment for a farm building, the assessor must determine its value based on its use for farming operations.

Valuation standard for a parcel and improvements

6(1) When an assessor is preparing an assessment for a parcel of land and the improvements to it, the valuation standard for the land

FOR DISCUSSION PURPOSES ONLY

and improvements is market value unless subsection (2) or (3) applies.

(2) If the parcel of land is located in a city, town, village or summer village, is used for farming operations and has a farm building located on it, the valuation standard in section 4(1)(b) applies to the land and the ~~exemption in applicable exemption~~ under section 22(c) applies to the farm building.

(3) If the parcel of land is located in a county, municipal district, improvement district or special area, is used for farming operations and has a farm building located on it, the valuation standard in section 4(1)(b) applies to the land and section 5(3) applies in respect of the farm building.

(4) If the improvement is railway ~~property~~, linear property or machinery and equipment, the valuation standard is as set out in section 7, 8 or 9 ~~or 9.1~~, as the case may be.

Valuation standard for railway

~~7(1) The valuation standard for railway is that calculated in accordance with the procedures referred to in subsection (2).~~

~~(2) In preparing an assessment for railway, the assessor must follow the procedures set out in the Alberta Railway Assessment Minister's Guidelines.~~

Valuation standard for railway

7(1) The valuation standard for railway property is that calculated in accordance with the procedures set out in the Alberta Railway Property Assessment Minister's Guidelines.

(2) In preparing an assessment for railway property, the assessor must follow the procedures referred to in subsection (1).

AR 220/2004 s7;307/2006

Valuation standard for linear property

8(1) The valuation standard for linear property is that calculated in accordance with the procedures ~~referred to in subsection (2)~~ set out in the Alberta Linear Property Assessment Minister's Guidelines.

(2) In preparing an assessment for linear property, the assessor must follow the procedures ~~set out in the Alberta Linear Property Assessment Minister's Guidelines~~ referred to in subsection (1).

Railway components of designated industrial properties will continue to be assessed according to the standard in the regulation so that similar property is assessed using the same standard throughout the province.

Linear property components of designated industrial properties will continue to be assessed according to the standard in the regulation so that similar property is assessed using the same standard throughout the province.

FOR DISCUSSION PURPOSES ONLY

(3) For the purposes of section 298(1)(z) of the Act, an assessment must be prepared for machinery and equipment that is part of linear property as described in section 284(1)(k) of the Act, and the assessment must reflect 100% of its value.

AR 220/2004 s8;307/2006

Machinery & equipment components of designated industrial properties will continue to be assessed according to the standard in the regulation so that similar property is assessed using the same standard throughout the province.

Valuation standard for machinery and equipment

9(1) The valuation standard for machinery and equipment is that calculated in accordance with the ~~procedures referred to in subsection (2)~~ applicable procedures set out in the Alberta Machinery and Equipment Assessment Minister's Guidelines.

(2) In preparing an assessment for machinery and equipment, the assessor must follow the procedures ~~set out in the Alberta Machinery and Equipment Assessment Minister's Guidelines~~ applicable procedures referred to in subsection (1).

(3) For the purposes of section 298(1)(z) of the Act, an assessment must be prepared for machinery and equipment that is not part of linear property as described in section 284(1)(k) of the Act, and the assessment must reflect 77% of its value.

AR 220/2004 s9;307/2006

Land and buildings at property designated as major plants will be assessed using regulated procedures.

Valuation standard for designated industrial property - land and buildings

9.1(1) The valuation standard for land and buildings that are part of any designated industrial property is that calculated in accordance with the applicable procedures set out in the Alberta Machinery and Equipment Assessment Minister's Guidelines.

(2) In preparing an assessment for facilities, land, improvements and other property referred to in subsection (1), the assessor must follow the applicable procedures set out in the Alberta Machinery and Equipment Assessment Minister's Guidelines.

Quality standards

10(1) In this section, "property" does not include regulated property.

(2) In preparing an assessment for property, the assessor must have regard to the quality standards required by subsection (3) and must follow the procedures set out in the Alberta Assessment Quality Minister's Guidelines.

(3) For any stratum of the property type described in the following table, the quality standards set out in the table must be met in the preparation of assessments:

Property Type	Median	Coefficient of
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FOR DISCUSSION PURPOSES ONLY

	Assessment Ratio	Dispersion
Property containing 1, 2 or 3 dwelling units	0.950 - 1.050	0 - 15.0
All other property	0.950 - 1.050	0 - 20.0

(4) The assessor must, in accordance with the procedures set out in the Alberta Assessment Quality Minister's Guidelines, declare annually that the requirements for assessments have been met.

(5) Repealed AR 307/2006 s6.

AR 220/2004 s10;307/2006

When permitted use differs from actual use

11 When a property is used for farming operations or residential purposes and an action is taken under Part 17 of the Act that has the effect of permitting or prescribing for that property some other use, the assessor must determine its value

- (a) in accordance with its residential use, for that part of the property that is occupied by the owner or the purchaser, or the spouse or adult interdependent partner or dependant of the owner or purchaser, and is used exclusively for residential purposes, or
- (b) based on agricultural use value, if the property is used for farming operations, unless section 4(3) applies.

Part 2 Recording and Reporting Property Information

Duty to record information

12 The assessor must, in accordance with the procedures set out in the Alberta Assessment Quality Minister's Guidelines, maintain as a record information about each property that is required for the preparation of the assessment roll in respect of those properties.

AR 220/2004 s12;307/2006;330/2009

Liability code

~~13 For the purpose of section 303(f.1) of the Act, the liability code for each assessed property must be assigned by the assessor in accordance with the procedures set out in the Alberta Assessment Quality Minister's Guidelines.~~

AR 220/2004 s13;307/2006

Liability code was removed from the MGA and is removed from the regulation.

FOR DISCUSSION PURPOSES ONLY

Duty to provide information to the Minister

14(1) The assessor must provide the information required by the Minister under section 293(3) of the Act in accordance with the procedures set out in the Alberta Assessment Quality Minister's Guidelines.

(2) The assessor must prepare and provide the return referred to in section 319 of the Act to the Minister in accordance with the procedures set out in the Alberta Assessment Quality Minister's Guidelines.

AR 220/2004 s14;307/2006;330/2009

Corrections or changes

15 For the purposes of section 305.1 of the Act, corrections or changes to an assessment roll must be reported by the assessor in accordance with the procedures set out in the Alberta Assessment Quality Minister's Guidelines.

AR 220/2004 s15;307/2006

Part 3 Equalized Assessment

Information provided by municipality under section 319(1) of Act

16(1) On receiving information from a municipality pursuant to section 319(1) of the Act, the Minister must assess the information and determine if the information is acceptable.

(2) The information provided pursuant to section 319(1) of the Act must include information to determine assessment levels.

(3) If the Minister determines that the information is acceptable, the Minister may use and rely on the information when preparing the equalized assessment for the municipality.

(4) If the Minister determines that the information is not acceptable, the Minister must prepare the equalized assessment using whatever information the Minister considers appropriate.

Preparation of equalized assessment

17(1) In preparing the equalized assessment for a municipality,

- (a) the assessments for regulated property that have been valued in accordance with this Regulation require no adjustment, and
- (b) the assessments for property other than regulated property must be adjusted to reflect an assessment level of 1.000 using the assessment levels determined by the Minister.

FOR DISCUSSION PURPOSES ONLY

(2) The total equalized assessment for residential property is calculated in accordance with the following formula:

$$\begin{array}{r} \text{Assessments for} \\ \text{residential} \\ \text{property} \end{array} \quad \times \quad \frac{1}{\text{assessment level for} \\ \text{residential property}}$$

(3) The total equalized assessment for non-residential property other than regulated property is calculated in accordance with the following formula:

$$\begin{array}{r} \text{Assessments for} \\ \text{non-residential} \\ \text{property} \end{array} \quad \times \quad \frac{1}{\text{assessment level for} \\ \text{non-residential property}}$$

Limit on increases in equalized assessments

18 Pursuant to section 325 of the Act, the Minister may, by order, limit the amount by which equalized assessments for any class of property listed in section 297 of the Act may increase from one year to the next.

City of Lloydminster

19 The equalized assessment for the portion of the City of Lloydminster that is in Alberta must reflect assessments as if they were prepared in accordance with the Act and this Regulation.

Part 4 Assessment Audits

Assessment audits

20(1) The Minister may, from time to time,

- (a) require annual or detailed audits of assessments, or both, to be performed, and
- (b) appoint one or more auditors for the purpose of carrying out those audits.

(2) An auditor

- (a) may require the attendance of any officer of a municipality or any other person whose presence the auditor considers necessary during the course of an audit, and
- (b) has the same powers, privileges and immunities as a commissioner under the *Public Inquiries Act*.

FOR DISCUSSION PURPOSES ONLY

(3) When required to do so by an auditor, the chief administrative officer of a municipality must produce for examination and inspection all books and records of the municipality.

(4) When required to do so by an auditor, an assessor must, in accordance with the procedures set out in the Alberta Assessment Quality Minister's Guidelines, provide the auditor with any assessment-related information in the assessor's custody and control.

(5) Audits under this section must be carried out in accordance with the procedures set out in the Alberta Assessment Quality Minister's Guidelines.

AR 220/2004 s20;307/2006

Part 5 Property Tax Exemption for Residences and Farm Buildings

Definitions

21 In this Part,

(a) "farm unit" means any number of parcels of land or parts of parcels, or both, that are

(i) owned by a farm unit operator,

(ii) held by that farm unit operator under a lease, licence or permit from the Crown or a municipality, or

(iii) occupied by that farm unit operator with the consent of a person holding the parcels under a lease, licence or permit from the Crown or a municipality

on December 31 of the year preceding the year in which the exemption in section 22 applies;

(b) "farm unit operator" means

(i) the person who is registered under the *Land Titles Act* as the owner of the fee simple estate in a farm unit, or the spouse or adult interdependent partner of that person,

(ii) a person who holds a farm unit under a lease, licence or permit from the Crown or a municipality, or a person who occupies the farm unit with the consent of that holder, and

FOR DISCUSSION PURPOSES ONLY

- (iii) a person who is purchasing a farm unit from the person referred to in subclause (i).

Exemptions from property tax

22 The following are exempt from taxation under Division 2 of Part 10 of the Act:

- (a) one residence in a farm unit, if the residence is
 - (i) situated in a county, municipal district, improvement district or special area, and
 - (ii) situated on a parcel of not less than one acre, to the extent of the assessment, based on agricultural use value, for the land in the farm unit, to a maximum of \$61 540;
- (b) each additional residence in the farm unit, if the residence is
 - (i) situated in a county, municipal district, improvement district or special area, and
 - (ii) used chiefly in connection with farming operations, to the extent of the assessment, based on agricultural use value, for the land in the farm unit that remains after the exemption is made under clause (a), to a maximum of \$30 770 for each additional residence;
- ~~(c) any farm building in a city, town, village or summer village, to the extent of 50% of its assessment.~~
 - (c) any farm building in a city, town, village or summer village, to the extent of
 - (i) 60% of its assessment for the 2018 taxation year,
 - (ii) 70% of its assessment for the 2019 taxation year,
 - (iii) 80% of its assessment for the 2020 taxation year,
 - (iv) 90% of its assessment for the 2021 taxation year, and
 - (v) 100% of its assessment for the 2022 taxation year and all subsequent taxation years.

Provide a 5 year phase out of the assessment of farm buildings in urban municipalities as they were exempted in the *MMGA*.

FOR DISCUSSION PURPOSES ONLY

Exemptions-Strathcona County

23 The following are exempt from taxation under Division 2 of Part 10 of the Act:

- (a) one residence in a farm unit, if the residence is
 - (i) situated in the rural service area of the specialized municipality of Strathcona County, and
 - (ii) situated on a parcel of not less than one acre,
to the extent of the assessment, based on agricultural use value, for the land in the farm unit, to a maximum of \$61 540;
- (b) each additional residence in the farm unit, if the residence is
 - (i) situated in the rural service area of the specialized municipality of Strathcona County, and
 - (ii) used chiefly in connection with farming operations,
to the extent of the assessment, based on agricultural use value, for the land in the farm unit that remains after the exemption is made under clause (a), to a maximum of \$30 770 for each additional residence.

AR 220/2004 s23;330/2009

Exemptions-Wood Buffalo

24 The following are exempt from taxation under Division 2 of Part 10 of the Act:

- (a) one residence in a farm unit, if the residence is
 - (i) situated in the rural service area of the specialized municipality of the Regional Municipality of Wood Buffalo, and
 - (ii) situated on a parcel of not less than one acre,
to the extent of the assessment, based on agricultural use value, for the land in the farm unit, to a maximum of \$61 540;
- (b) each additional residence in the farm unit, if the residence is
 - (i) situated in the rural service area of the specialized municipality of the Regional Municipality of Wood Buffalo, and

FOR DISCUSSION PURPOSES ONLY

(ii) used chiefly in connection with farming operations,

to the extent of the assessment, based on agricultural use value, for the land in the farm unit that remains after the exemption is made under clause (a), to a maximum of \$30 770 for each additional residence.

AR 220/2004 s24;330/2009

Exemptions-Mackenzie County

25 The following are exempt from taxation under Division 2 of Part 10 of the Act:

- (a) one residence in a farm unit, if the residence is
 - (i) situated in the specialized municipality of Mackenzie County, and
 - (ii) situated on a parcel of not less than one acre of land, to the extent of the assessment, based on agricultural use value, for the land in the farm unit, to a maximum of \$61 540;
- (b) each additional residence in the farm unit, if the residence is
 - (i) situated in the specialized municipality of Mackenzie County, and
 - (ii) used chiefly in connection with farming operations, to the extent of the assessment, based on agricultural use value, for the land in the farm unit that remains after the exemption is made under clause (a), to a maximum of \$30 770 for each additional residence.

AR 220/2004 s25;330/2009

Exemptions-Jasper

26 The following are exempt from taxation under Division 2 of Part 10 of the Act:

- (a) one residence in a farm unit, if the residence is
 - (i) situated outside of the town of the specialized municipality of the Municipality of Jasper, and
 - (ii) situated on a parcel of not less than one acre,

FOR DISCUSSION PURPOSES ONLY

to the extent of the assessment, based on agricultural use value, for the land in the farm unit, to a maximum of \$61 540;

- (b) each additional residence in the farm unit, if the residence is
 - (i) situated outside of the town of the specialized municipality of the Municipality of Jasper, and
 - (ii) used chiefly in connection with farming operations,

to the extent of the assessment, based on agricultural use value, for the land in the farm unit that remains after the exemption is made under clause (a), to a maximum of \$30 770 for each additional residence.

AR 220/2004 s26;330/2009

Exemptions-farm buildings

27 The following are exempt from taxation under Division 2 of Part 10 of the Act:

- (a) any farm building located in the specialized municipality of Mackenzie County;
- ~~(b) any farm building in the urban service area of the specialized municipality of Strathcona County, to the extent of 50% of its assessment;~~
- ~~(c) any farm building in the urban service area of the specialized municipality of the Regional Municipality of Wood Buffalo, to the extent of 50% of its assessment;~~
- ~~(d) any farm building in the town of the specialized municipality of the Municipality of Jasper, to the extent of 50% of its assessment;~~
- ~~(e) any farm building in a city, town, village or summer village, to the extent of 50% of its assessment.~~

- (b) any farm building in the urban service area of the specialized municipality of Strathcona County, to the extent of
 - (i) 60% of its assessment for the 2018 taxation year,
 - (ii) 70% of its assessment for the 2019 taxation year,
 - (iii) 80% of its assessment for the 2020 taxation year,
 - (iv) 90% of its assessment for the 2021 taxation year, and

Provide a 5 year phase out of the assessment of farm buildings in urban municipalities as they were exempted in the *MMGA*.

FOR DISCUSSION PURPOSES ONLY

- (v) 100% of its assessment for the 2022 taxation year and all subsequent taxation years;
- (c) any farm building in the urban service area of the specialized municipality of the Regional Municipality of Wood Buffalo, to the extent of
 - (i) 60% of its assessment for the 2018 taxation year,
 - (ii) 70% of its assessment for the 2019 taxation year,
 - (iii) 80% of its assessment for the 2020 taxation year,
 - (iv) 90% of its assessment for the 2021 taxation year, and
 - (v) 100% of its assessment for the 2022 taxation year and all subsequent taxation years;
- (d) any farm building in the town of the specialized municipality of the Municipality of Jasper, to the extent of
 - (i) 60% of its assessment for the 2018 taxation year,
 - (ii) 70% of its assessment for the 2019 taxation year,
 - (iii) 80% of its assessment for the 2020 taxation year,
 - (iv) 90% of its assessment for the 2021 taxation year, and
 - (v) 100% of its assessment for the 2022 taxation year and all subsequent taxation years;
- (e) any farm building in a city, town, village or summer village, to the extent of
 - (i) 60% of its assessment for the 2018 taxation year,
 - (ii) 70% of its assessment for the 2019 taxation year,
 - (iii) 80% of its assessment for the 2020 taxation year,
 - (iv) 90% of its assessment for the 2021 taxation year, and
 - (v) 100% of its assessment for the 2022 taxation year and all subsequent taxation years.

FOR DISCUSSION PURPOSES ONLY

Part 5.1 Assessment Information

Definitions

27.1 In this Part,

- (a) “coefficient” means a number that represents the quantified relationship of each variable to the assessed value of a property when derived through a mass appraisal process;
- (b) “factor” means a property characteristic that contributes to a value of a property;
- (c) “valuation model” means the representation of the relationship between property characteristics and their value in the real estate marketplace using a mass appraisal process;
- (d) “variable” means a quantitative or qualitative representation of a property characteristic used in a valuation model.

AR 330/2009 s5

Assessment record

27.2 For the purposes of section 299 of the Act, the assessment of a person’s property is limited to the assessment for the current taxation year.

AR 330/2009 s5

Key factors and variables of valuation model

27.3(1) For the purposes of sections 299(1.1)(b) and 300(1.1)(d) of the Act, the key factors and variables of the valuation model applied in preparing the assessment of a property include

- (a) descriptors and codes for variables used in the valuation model,
- (b) where there is a range of descriptors or codes for a variable, the range and what descriptor and code was applied to the property, and
- (c) any adjustments that were made outside the value of the variables used in the valuation model that affect the assessment of the property.

FOR DISCUSSION PURPOSES ONLY

(2) Despite subsection (1), information that is required to be provided under section 299 or 300 of the Act does not include coefficients.

AR 330/2009 s5

Access to assessment record

27.4(1) For the purposes of section 299 of the Act, a municipality must, subject to subsection (4), provide the assessed person with the information described in section 299(1.1) of the Act in one of the following manners:

- (a) in hard-copy form with the assessment notice for the property;
- (b) in hard-copy form without the assessment notice for the property;
- (c) through an internet website that is readily accessible to the assessed person.

(2) A municipality must provide the assessed person with the information described in section 299(1.1) of the Act within 15 days of receiving a request for the information.

(3) A municipality that provides the information in a manner set out in subsection (1)(a) or (c) is deemed to have met the requirements of subsection (2).

(4) A municipality that does not provide the information described in section 299(1.1) of the Act in a manner set out in subsection (1) must make reasonable arrangements to let the assessed person see the information at the municipality's office within 15 days of the request.

AR 330/2009 s5

Access to summary of assessment

27.5(1) For the purposes of section 300 of the Act, a municipality must, subject to subsection (4), provide the assessed person with a summary of the assessment for an assessed property in one of the following manners:

- (a) in hard-copy form with the assessment notice for the property;
- (b) in hard-copy form without the assessment notice for the property;
- (c) through an internet website that is readily accessible to the assessed person.

FOR DISCUSSION PURPOSES ONLY

- (2) A municipality must provide the assessed person with a summary of the assessment for an assessed property within 15 days of receiving a request for the information.
- (3) A municipality that provides a summary of the assessment for an assessed property in a manner set out in subsection (1)(a) or (c) is deemed to have met the requirements of subsection (2).
- (4) A municipality that does not provide a summary of the assessment for an assessed property in a manner set out in subsection (1) must make reasonable arrangements to let the assessed person see the summary at the municipality's office within 15 days of the request.
- (5) The 15-day period referred to in subsection (2) applies only in respect of a summary of the assessment for the first 5 assessed properties requested by an assessed person in any given year.

AR 330/2009 s5

Compliance review

27.6(1) In this section, "compliance review" means a review by the Minister to determine if a municipality has complied with an information request under section 299 or 300 of the Act and this Part.

(2) An assessed person may make a request to the Minister, in the form and manner required by the Minister, for a compliance review if the assessed person believes that a municipality has failed to comply with that person's request under section 299 or 300 of the Act.

(3) A request for a compliance review must be made within 45 days of the assessed person's request under section 299 or 300 of the Act.

(4) If, after a compliance review, the Minister determines that a municipality has failed to comply with a request under section 299 or 300 of the Act, the Minister may impose a penalty for non-compliance against the municipality in accordance with the Schedule.

AR 330/2009 s5

Contents of assessment notice

27.7 In addition to the information described in section 309 of the Act, the following information must be contained on or attached to an assessment notice or an amended assessment notice:

- (a) a statement specifying where copies of the complaint form and the assessment complaints agent authorization form

FOR DISCUSSION PURPOSES ONLY

set out in Schedules 1 and 4, respectively, of the *Matters Relating to Assessment Complaints Regulation* may be found;

- (b) a statement
 - (i) indicating that an assessed person is entitled to see or receive sufficient information about the person’s property in accordance with section 299 of the Act or a summary of an assessment in accordance with section 300 of the Act, or both, and
 - (ii) specifying the procedures and timelines to be followed by an assessed person to request the information or summary.

AR 330/2009 s5

Transition

27.8 This Part applies only to information with respect to assessments prepared in respect of the 2010 and subsequent taxation years.

AR 330/2009 s5

**Part 6
Repeal, Expiry and
Coming into Force**

Repeal

28 The *Matters Relating to Assessment and Taxation Regulation* (AR 289/99) is repealed.

Expiry

~~**29** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repealed in its present or an amended form following a review, this Regulation expires on November 30, 2018.~~

AR 220/2004 s29;257/2009;330/2009;184/2012

Removing the expiry date enables future reviews as they are needed.

Coming into force

30 This Regulation comes into force on ~~December 1, 2004~~ January 1, 2018.

Indicates when the regulation comes into force.

Schedule

Penalty for Non-Compliance

Action	Penalties*
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FOR DISCUSSION PURPOSES ONLY

Non-compliance with section 299 (the assessed person's property).	Up to \$100 per day after the 15-day period for providing the information, to a maximum of \$2500.
Non-compliance with section 300 (properties other than the assessed person's property):	
(a) for similar classes of property having comparable characteristics to the assessed person's property (relevant information);	Up to \$100 per day after the 15-day period for providing the information, to a maximum of \$2500.
(b) for dissimilar classes of property or property having non-comparable characteristics to the assessed person's property (non-relevant information).	\$0.

* Penalties are not applicable for multiple requests for information on the same property by the same assessed person during the same taxation year.

AR 330/2009 s7

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