



Composite Assessment Review Board

REGIONAL MUNICIPALITY OF WOOD BUFFALO BOARD ORDER CARB 024-2011

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 (Act).

BETWEEN:

Canadian Natural Resources Limited (CNRL) represented by Wilson Laycraft – Complainant

- a n d -

Regional Municipality of Wood Buffalo (Municipality) represented by Reynolds Mirth Richards & Farmer LLP - Respondent

BEFORE:

Member:

P. Petry, Presiding Officer

E. McRae, Member

S. Odemuyiwa, Member

Board Counsel:

G. Stewart-Palmer, Barrister & Solicitor

Board Administration:

N. MacDonald, Assessment Review Board Clerk

A hearing was held on December 14, 2011 via teleconference in the Province of Alberta to consider complaints about the assessments of the following property tax roll number:

8992004910

Assessment \$271,014,420

CARB file 11-090

PART A: BACKGROUND AND DESCRIPTION OF PROPERTY UNDER COMPLAINT

[1] Construction of the Canadian Natural Resources oilsands project was completed in 2009. The first roll number relates to a property assessment for building and structure, namely three camps at the Canadian Natural Resources Limited site. The Complainant raises 7 issues, as set out in the Reasons for Complaint document filed by the Complainant.

PART B: ISSUES

[2] The CARB derives its authority to make decisions under Part 11 of the Act. During the December 14, 2011 hearing, the parties made a joint recommendation for settlement to the CARB relating to the above roll.

Position of the Parties

[3] The Municipality provided the CARB with a letter dated December 8, 2011 which set out the joint recommendation of the parties for the settlement of the above role. This letter was signed by representatives of both the Municipality and CNRL. The original assessment was \$271,014,420. The revised assessment is \$234,017,670. The revision reflects the following changes:

[4]	For Camp 1 – Calumet River Lodge	Original Assessment	\$35,652,960
		Revised Assessment	\$19,121,022

[5]	For Camp 2 – McKay River Lodge	Original Assessment	\$35,452,620
		Revised Assessment	\$20,258,640

[6]	For Camp 3 – Chelsea River Lodge	Original Assessment	\$12,298,608
		Revised Assessment	\$7,027,776

[7]	All Camps:	Original Assessment	\$83,404,188
		Revised Assessment	\$46,407,438

	Difference in Assessment		\$36,996,750
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[8] The parties confirmed that it was their joint recommendation to the CARB setting out the new assessment value and that the value set out above is fair and equitable and would be representative of a correct estimate of market value for the 2011 assessment.

[9] Both parties confirmed that if the CARB accepted the joint recommendation, they would not be seeking leave to appeal of the CARB's decision.

Decision:

[10] The CARB accepts the joint recommendation of the parties and confirms the revised assessment as follows:

[11] The revised assessment is \$234,017,670. The revision reflects the following changes:

[12]	For Camp 1 – Claumet River Lodge	Original Assessment	\$35,652,960
		Revised Assessment	\$19,121,022

[13]	For Camp 2 – McKay River Lodge	Original Assessment	\$35,452,620
		Revised Assessment	\$20,258,640
[14]	For Camp 3 – Chelsea River Lodge	Original Assessment	\$12,298,608
		Revised Assessment	\$7,027,776
[15]	All Camps:	Original Assessment	\$83,404,188
		Revised Assessment	\$46,407,438
		Difference in Assessment	\$36,996,750

Reasons for Decision:

[16] The CARB was pleased to accept the joint recommendation of the parties. The Board notes that although the parties filed materials in support of the merit hearing, the need for the hearing was eliminated due to the joint recommendation of the parties. The CARB has not reviewed the disclosure documents prepared by the parties for the merit hearing, but has relied upon the joint representations of the parties that the value set out above is fair and equitable and would be representative of a correct estimate of market value for the 2011 assessment.

[17] The CARB accepted the assurances of the parties in relation to the value. The CARB commends the parties for engaging in meaningful discussions which has resulted in a settlement of this complaint.

Summary of Decision

Based on the review above, the over all assessment is reduced to \$234,017,670.

It is so ordered.

Dated at the City of Lethbridge in the Province of Alberta, this 17 day of December, 2011.



P. Petry
Presiding Officer

APPENDIX “A”

DOCUMENTS RECEIVED AND CONSIDERED BY THE CARB:

NO.	ITEM
1	Letter of December 8, 2011 from Regional Municipality of Wood Buffalo (joint recommendation) (with attachments)

APPENDIX “B”

PERSON APPEARING	CAPACITY
1. B. Dell	Counsel for the Complainant
2. B. Balog	Representative of the Complainant (in house counsel)
3. C. M. Zukiwski	Counsel for the Respondent