



Date Issued: October 7, 2026
Docket: LT25-02
Type: Real Property
Assessment Act Appeal

INDEXED AS: DF v. Minister of Finance
2026 PEIRAC 65 (CanLII)

Order No: LT26-03

BETWEEN:

DF

Appellant

AND:

Minister of Finance and Affordability

Respondent

REASONS FOR DECISION

Panel Members:

Gordon MacFarlane, Commissioner
Kerri Carpenter, Vice Chair

Compared and Certified a True Copy

(Sgd.) Michelle Walsh-Doucette

Commission Clerk
Island Regulatory and Appeals Commission

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Written Submissions Filed by:

1. For the Appellant:

DF

2. For the Respondent

Counsel:

Scott Wilson, Supervisor Commercial Assessment,
Taxation and Property Records, Department of Finance
and Affordability

1. INTRODUCTION

1. This is an appeal by [DF] of the assessment made by the Minister of Finance and Affordability in respect of her property [redacted per Rule 51], Charlottetown, PE (PID [redacted per Rule 51]) (the “Subject Property”) for the 2024 tax year. The Minister’s assessment was made pursuant to the *Real Property Assessment Act* (the “Act”).
2. The Appellant appealed the assessment on the basis that it exceeds fair market value.
3. For the reasons that follow, the Commission dismisses the appeal. The Commission confirms the assessment of the Subject Property at \$126,000 for the 2024 taxation year.

2. BACKGROUND

4. The Appellant purchased the subject property on June 13, 2024, for a purchase price of \$180,000. The subject property is a 480 sq. ft condominium in a multi-unit building in Charlottetown.
5. Effective July 8, 2024, the Minister assessed the market value and taxable value of the Subject Property at \$153,800. This resulted in an annual property tax bill in 2024 of \$2,781.46.
6. In July 2024, the Appellant requested a review of her 2024 property assessment and taxes by the Minister.
7. By letter dated April 9, 2025, the Minister advised the Appellants that her assessment had been reconsidered in accordance with subsection 20(3) of the *Act*, and that the market value assessment for the Subject Property had been changed and varied from \$153,800 to \$126,000, effective June 20, 2024. The rationale for the variance was to reflect an error in the record size of the condominium unit. The size was changed from 586 sq. ft to 480 sq. ft.
8. The Appellant appealed the referral (review) decision to the Commission on April 17, 2025.
9. Shortly after receiving the Notice of Appeal, a representative of the Minister advised that they had made contact with the Appellant to discuss the appeal. By June 2025, the parties advised resolution had not been achieved and the Commission set deadlines for the parties’ respective submissions on appeal.
10. After a request for extension, the Minister submitted an Assessment Valuation Summary (“AVS”) to the Commission on September 8, 2025. This document will be explained in more detail below.
11. The Appellant provided a response to the Minister’s AVS on September 16, 2025.
12. The Minister provided a further submission in writing on October 14, 2025.
13. On November 27, 2025, the Commission set the matter down for a public hearing to be held on Tuesday, January 27, 2026, at 9:30 a.m.

14. On December 29, 2025, the Appellant made two requests to the Commission:
- (i) That her name, address, and all personal identifiers be kept completely confidential and not appear in any public documents, posted orders, or records, for reasons of personal safety; and;
 - (ii) That the hearing be held by way of written submissions rather than an oral hearing, in accordance with subsection 29(3) of the Act.
15. By letter dated January 6, 2026, the Commission advised the parties that it would allow the Appellant's request for confidentiality and agreed that the Appellant's name, address, and all personal identifiers would be kept confidential and would not appear in any public documents, posted orders, or records.
16. By letter dated January 9, 2026, the Commission advised the parties that upon the Appellant's request, and with the consent of the Minister, the Commission ordered that written submissions be filed in place of an oral hearing. The letter set out further timelines for submissions from the parties.
17. By March 19, 2026, all submissions by both parties had been made and Commission staff advised the parties that the hearing panel would take the matter under advisement and deliver its written decision in due course.

3. ISSUES

18. There questions for the Commission to decide on an appeal pursuant to the *Real Property Assessment Act* are:
- i) Is the assessment under appeal at market value?
 - ii) Is the assessment uniform in relation to other assessments?

4. DISPOSITION

19. The appeal is dismissed. The Commission confirms the assessment of the Subject Property at \$126,000 for the 2024 taxation year.

5. ANALYSIS

20. As a starting point, it is helpful to consider the context of this appeal within the tax assessment scheme established by the *Real Property Assessment Act* (the "RPAA" or the "Act").

A. Statutory Scheme of RPAA

21. First, the RPAA requires all property in the province to be assessed by the Minister. Section 18 of the *Act* requires the Minister to send a notice of assessment to every person in whose name real property is assessed.

22. Assessments under the RPAA are to be determined on the basis of “market value”. Section 3 of the *Act* states:

3. Real property to be assessed

- (1) All real property in the province including real property owned by the Crown shall be assessed by the Minister.

Value of assessment

- (2) All real property owned by the Crown or any person shall be assessed at its market value, either
- (a) as commercial realty; or
- (b) as non-commercial realty.

[emphasis added]

23. The Act defines “assess” at subsection 1(c) as meaning “*to appraise real property for tax purposes*”.

24. The Act defines “appraise” at subsection 1(a) as meaning to “*provide an estimate of the market value of real property*”.

25. “Market value” is defined by the Act as:

- (f) “**market value**” means, in respect of real property, the most probable sale price of that real property as of comparable properties and the value indicated by rentals or anticipated net income;

26. Taken together, these sections confirm that the Minister is to assess a property at its market value (as is directed by section 3 of the *Act*).

27. Section 20 of the RPAA permits any person to refer their assessment to the Minister for reconsideration. Upon referral, the Minister shall reconsider the assessment and shall either vacate, confirm or vary the assessment, sending a notice to the person.

28. Section 22 of the RPAA authorizes an appeal to the Commission following the referral process:

22. Appeals to Appeals Board

- (1) Where an assessment has been referred to the Minister under section 20, and after the Minister has notified the person making the reference of the decision, the person making the reference may appeal to the Commission to have the assessment vacated or varied.

29. The RPAA sets out strict requirements and timelines for filing an appeal with the Commission. It is not disputed in this case that the Appellants’ Notice of Appeal was filed in accordance with sections 22 and 23 of the RPAA.

30. Section 28 of the RRPA provides that in any appeal to the Commission, the Minister shall demonstrate the uniformity of the assessment in relation to other assessments.

31. In sum, the issues which may be considered by the Commission on an appeal under the RPAA are whether the assessment under appeal is at market value and whether the assessment is uniform in relation to other assessments.

B. The Appellant's Position on Appeal

32. In the present case, the Appellant's position is that the assessed value of the Subject Property exceeds fair market value.
33. The Appellant submits that the increase in the assessment value between the time she placed an offer to purchase the Subject Property and receiving the updated Notice of Assessment in June 2024 was sudden and excessive. When she purchased the Subject Property, the vendor stated the annual property taxes were approximately \$1,300 with only a "slight expected increase". However, shortly after closing, the Appellant received a \$2,800 tax bill.
34. During the reassessment process, the Appellant raised the issue of the incorrect square footage, which she acknowledges was adjusted by the Minister. However, she submits that other valid concerns were ignored.
35. For example, she submits the Subject Property has an outdated electrical system with a 60-amp panel, unlike other units in the building. Due to this outdated panel, the Appellant says she was denied coverage by several insurance providers and it significantly limits what she can do inside the unit and leaves her unable to install a washer a dryer. The Appellant submits that these limitations reduce the market value and should be reflected in the assessment value.
36. The Appellant further submits that the Subject Property lacks adequate ventilation. She says there is only one operational exhaust fan in the bathroom that does not work properly and would require costly upgrades to meet basic standards.
37. The Appellant also submits that the unit is directly adjacent to the building's electrical room and next to the laundry room. She says these rooms create excessive noise and odours in her unit, both reducing the value and habitability of the unit. Further, the Subject Property is on the first floor of the building and does not have a water view – two things she submits lower the value of the Subject Property when compared to other units in the building.
38. Finally, the Appellant submits that because the Subject Property is a condominium, it lacks any land or outdoor space, reducing both its functionality and value. She writes that this is especially unfair when other homeowners in Charlottetown own detached houses and pay the same property tax.
39. In sum, the Appellant submitted that it feels as though the rules have been changed mid-process, leaving buyers like herself unprotected and financially vulnerable. She made her purchase in good faith, based on the information that was available at the time. The Appellant submitted that the repeated re-assessments create an impression of instability and a lack of transparency, which she described as deeply concerning and unacceptable.

C. The Minister's Position on Appeal

40. The Minister's submissions were prepared by Scott Wilson ("Wilson"), the Supervisor of Commercial Assessment with Taxation and Property Records, in the Department of Finance and Affordability. In addition to written submissions in response to the Appellant's grounds of appeal, the Minister's evidence includes several email exchanges between Wilson and the Appellant throughout the referral process.
41. The Minister submits that the Subject Property was first assessed as of May 26, 2023, when the condominium corporation was created. The assessment issued at that time was \$64,500 with taxes of \$1,077.15. On January 1, 2024, the Subject Property's assessed value increased to \$65,700, with annual taxes of \$1,310.19. This was the yearly adjustment applied to all condominiums.
42. The Minister's submissions and evidence details that a re-evaluation of all condominiums in multi-unit apartment-style buildings in Queens and Kings Counties occurred effective January 1, 2024, for uniformity and equity. An email from Wilson to the Appellant dated July 30, 2024, states that these valuations were based upon a mass valuation standard utilizing every sale that had occurred previously. Wilson's email explains that he utilized the sales that had occurred within the cluster of buildings around the subject building (combined with the current listing of units in the building), as well as other sales that had occurred recently in the Charlottetown and Stratford markets to come up with an estimate of value on a per square foot basis.
43. According to the Minister, this re-evaluation process resulted in corrections being made to the market value assessment of all condominium properties across PEI in accordance with the *Real Property Assessment Act*. As a result, the Subject Property's assessment increased to \$102,600, with annual property taxes estimated \$1,926.42.
44. A Deed of Conveyance was then registered within the Land Registry Office on June 20, 2024, and the Subject Property's assessment was recalculated to be \$153,800 with taxes of \$2,781.46.
45. The Minister's submissions acknowledge that during the inspection of the Subject Property in the course of the reassessment process, a discrepancy related to the square footage of the Subject Property was noted and corrected, effective June 20, 2024. The market value of the Subject Property was, accordingly, adjusted downward from \$153,800 to \$126,000.
46. With respect to the other matters raised by the Appellant, the Minister submits that several of the appellant's concerns (humidity levels, bathroom exhaust fan) would be considered typical maintenance associated with home or condominium ownership.
47. Regarding the electrical system, the Minister's submissions state that when the Subject Property was constructed in 1992, per unit, 60-amp electrical service was in alignment with the national building code (verified by PEI's Government Development Office). The submissions state that pre-2000 apartment buildings (12 units plus) encompass 51% of the assessment inventory. The Minister further submits that insurance companies determine their own policies on property coverage.

48. Finally, regarding the location of the Subject Property within the building, the Minister submits that within multi-unit buildings, many buyers have different preferences that influence their unit selection. The Minister stated that at the time of valuation, water view(s) was considered, but there was no evidence that could support a qualifiable adjustment for a view in the Appellant's building.

Assessment Valuation Summary – Direct Comparison

49. The Minister's submissions included an Assessment Valuation Summary (AVS) prepared by Wilson, who is a certified professional appraiser. The AVS includes a comparable sales analysis, which compares the sale price of six (6) properties the Minister has deemed to be comparable to the Subject Property. Two of the properties are in the same building as the Subject Property, and four (4) are in the neighboring building. The sales analysis table from the AVS is reproduced below (without the identifying information about the comparable properties):

Property	Sale Date	Sale Price	Square Footage	2024 Assessment
Subject	June 20, 2024	\$180,000	480	\$126,000
Comp#1 (same building)	July 25, 2023	\$270,000	728	\$191,100
Comp#2 (same building)	August 2, 2024	\$279,900	733	\$192,400
Comp#3 (neighbouring building)	May 28, 2024	\$279,900	729	\$191,300
Comp#4 (neighbouring building)	June 18, 2024	\$279,900	730	\$191,400
Comp#5 (neighbouring building)	Sept 23, 2024	\$279,900	769	\$201,900
Comp#6 (neighbouring building)	Nov 14, 2024	\$275,000	773	\$202,300

D. The Commission's Decision

50. As a reminder, the Commission has previously commented that the issues which may be considered by the Commission on an appeal under the RPAA are whether the assessments under appeal are uniform in relation to other assessments and whether the assessments under appeal are at market value. More specifically, section 28 of the *Act* provides that:

28. Accuracy of assessment, proof of

- (1) Subject to subsection (2), in any appeal to the Commission, the Minister shall demonstrate the uniformity of the assessment in relation to other assessments.

[emphasis added]

51. In Order LT00-03, the Commission said:

The issue of uniformity has been considered by the Commission on a number of occasions. In previous decisions (Commission Order [LT93-2](#) and [LT96-03](#)), the Commission found that an essential feature of real property assessment is uniformity. That is, no matter what other principles are to be applied, if the assessment of the property in question is carried out in a uniform manner in relation to other assessments, the assessment will be found to be valid.

The principle of uniformity is clearly reflected in Section 28(1) of the Act [...].

The onus is thus placed upon the Minister to demonstrate that the assessment on appeal meets the essential principle of uniformity.

52. Previous Commission decisions have made it clear that the onus is placed on the Minister to demonstrate that an assessment meets the “essential principle” of uniformity and to prove the market value of the subject property.

53. This approach was upheld by the PEI Supreme Court in *Prince Edward Island (Provincial Treasurer) v. Gavin*, 1997 CanLII 4645 (PESCTD). In *Gavin*, the court found (among other things) that the Commission did not err in placing the onus on the Minister to prove the market value of the subject property. The decision comments that the legislative requirement for a notice of appeal to contain a statement of the allegations of fact and the reasons in support of the appeal “does not invoke an onus of proof on the property owner that would relieve the Minister from his onus as applied by the Commission.” The decision states that it is the Minister, not the property owner, who has the appraisal and assessment apparatus and information (paras 9-10).

54. The Commission also said, in Order LT00-03:

The Commission accepts that the Respondent's use of a mass appraisal method to establish the general level of assessment for a particular area is appropriate within the provisions of the Act. However, the Commission also believes the Respondent must be prepared, on referral, to justify an assessment on an individual basis in light of unique features or blighting factors of a particular property; and to make adjustments for those features or factors that may not have been taken into account on the initial assessment.

[...]

55. Therefore, generally speaking, the onus is on the Minister to present evidence to support their assessment and position that properties under appeal have been assessed in a uniform manner and at, or below, market value.

56. In the present appeal the Commission is satisfied that the assessment of the Subject Property satisfies both requirements of being at market value and uniform with other assessments.

57. First, the Commission is satisfied that the comparable properties relied on by the Minister to demonstrate market value and uniformity are appropriate comparables to the Subject

Property. They are all located within the same general development as the Subject Property and we accept the buildings, therefore, have similar comparable qualities. The table above demonstrates that the Subject Property is uniformly assessed when compared to the assessments of these comparable neighbouring units.

58. The Commission considered whether the assessment should be adjusted in light of “unique features or blighting factors” of the Subject Property, as contemplated in Order LT00-03, but was not satisfied that any such features were present in this case. While the Appellant argued that a lack of water view should be reflected in the Subject Property’s assessment, the Minister’s evidence indicated that water views were considered at the time of valuation, but there was no evidence that could support a qualifiable adjustment for a view in the Appellant’s building. Further, the Commission agrees with the Minister that some of the matters raised by the Appellant are more properly addressed through general maintenance or upgrades – either in her specific condominium unit, or the building more generally. The Commission is not satisfied that the presence (or lack thereof) of a washer and dryer, or other appliance(s), in any particular unit demonstrates a lack of uniformity in the market value assessment for tax purposes.
59. Finally, while the Commission appreciates the submissions of the Appellant that the increase was sudden and unexpected, the Commission has previously commented in Order LT02-01 that “[t]he suddenness of an increase in the assessment of a property cannot be used as a basis for challenging the legality of the assessment. In a nutshell, even a shockingly large increase does not, by itself, justify a reduction in the assessment of the property.” This Commission agrees with and adopts that finding in the circumstances of this case.

6. CONCLUSION

60. The appeal is dismissed. The Commission confirms the assessment of the Subject Property at \$126,000 for the 2024 taxation year.
61. The Commission thanks the parties for their submissions in this matter.

7. ORDER

62. The appeal is dismissed.

63. The Commission confirms the assessment of the Subject Property at \$126,000 for the 2024 taxation year.

DATED at Charlottetown, Prince Edward Island, **October 7, 2026.**

BY THE COMMISSION:

[sgd. Gordon MacFarlane]

Gordon MacFarlane, Commissioner

[sgd. Kerri Carpenter]

Kerri Carpenter, Vice Chair

NOTICE

Section 12 of the ***Island Regulatory and Appeals Commission Act*** reads as follows:

12. The Commission may, in its absolute discretion, review, rescind or vary any order or decision made by it, or rehear any application before deciding it.

Parties to this proceeding seeking a review of the Commission's decision or order in this matter may do so by filing with the Commission, at the earliest date, a written Request for Review, which clearly states the reasons for the review and the nature of the relief sought.

Section 33 of the ***Real Property Assessment Act*** reads as follows:

33. Notwithstanding anything in any public or private Act, an appeal lies to the Supreme Court of the province from any order, decision, or award of the Commission, if notice of the appeal is given the other parties within forty-five days after the making of the order, or decisions sought to be appealed from.

NOTE: In accordance with IRAC's *Records Retention and Disposition Schedule*, the material contained in the official file regarding this matter will be retained by the Commission for a period of 2 years.