



Province of Alberta

PROFESSIONAL AND OCCUPATIONAL
ASSOCIATIONS REGISTRATION ACT

MUNICIPAL ASSESSOR REGULATION

Alberta Regulation 347/2009

With amendments up to and including Alberta Regulation 171/2014

Office Consolidation

© Published by Alberta Queen's Printer

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(Consolidated up to 171/2014)

ALBERTA REGULATION 347/2009

**Professional and Occupational
Associations Registration Act**

MUNICIPAL ASSESSOR REGULATION

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Definitions

1 In this Regulation,

- (a) “Accredited Municipal Assessor of Alberta” means a person whose name is entered in the register of Accredited Municipal Assessors of Alberta;
- (b) “Act” means the *Professional and Occupational Associations Registration Act*;
- (c) “Association” means the Alberta Assessors’ Association;
- (d) “Association Registrar” means the Association Registrar appointed under the bylaws;
- (e) “bylaws” means the bylaws of the Association;
- (f) “Candidate Member” means a person whose name is entered in the register of Candidate Members;
- (g) “Discipline Committee” means the Discipline Committee established under section 16;
- (h) “education credits” means education credits granted by the Practice Review Committee under section 8(2);
- (i) “Executive Committee” means the Executive Committee of the Association established under the bylaws;
- (j) “practice of assessment” means specialized consulting services in real property appraisal, assessment administration and tax policy and, without limitation, includes the following:
 - (i) preparing property and business assessment using legislative mass appraisal and single property appraisal standards, policies and procedures;
 - (ii) communicating or explaining assessments to property owners and the administration of public relations programs related to understanding the assessment process and the role of the property tax in funding government services;
 - (iii) the formulation, advocacy and development of assessment legislation, policy and standards;
 - (iv) providing expert testimony, evidence, argument and case management services in the administration of assessment tribunals and other courts of law in their review of assessments;
 - (v) providing services as a member of an assessment tribunal member;

- (vi) the design, development and delivery of assessment training, education, workplace learning and professional development courses and seminars;
- (vii) the management and administration of assessment service operations, and the internal and external auditing of those operations;
- (viii) the analysis of assessment data elements, development of data standards and the collection of assessment data;
- (ix) computer assisted system designs and implementation in mass appraisal systems and related geographic information systems or information management systems;
- (x) the development of appraisal software and construction cost and valuation manuals;
- (xi) the administration and implementation of discretionary property tax exemption programs;
- (k) “Practice Review Committee” means the Practice Review Committee established under section 12;
- (l) “President” means the President of the Association appointed under the bylaws;
- (m) “reciprocal association” means an association that in the opinion of the Executive Committee is equivalent to the Association;
- (n) “Registration Committee” means the Registration Committee established under section 2;
- (o) “Regulated Member” means an Accredited Municipal Assessor of Alberta or a Candidate Member.

Registration Committee

2(1) The Registration Committee is established consisting of

- (a) one Accredited Municipal Assessor of Alberta who is a member of the Executive Committee,
- (b) at least 3 other Accredited Municipal Assessors of Alberta who are not members of the Executive Committee, one of whom must be appointed by the President as chair, and
- (c) the Association Registrar.

- (2) The members of the Registration Committee must be appointed by the President in accordance with the bylaws.
- (3) The Association Registrar is a non-voting member of the Registration Committee.
- (4) The Registration Committee must meet at the call of the chair.
- (5) A quorum at a meeting of the Registration Committee is 3 voting members.

Registers

- 3(1)** The Association Registrar must maintain, in accordance with this Regulation, and subject to the direction of the Executive Committee,
 - (a) a register of Accredited Municipal Assessors of Alberta, and
 - (b) a register of Candidate Members.
- (2)** The Association Registrar must enter in the appropriate register
 - (a) the name of an individual who has paid the fee prescribed by the bylaws and whose registration has been approved by the Registration Committee or the Executive Committee, and
 - (b) the mailing address of that individual.

Powers and duties of Registration Committee

- 4(1)** The Registration Committee must consider applications from persons to become Regulated Members of the Association in accordance with this Regulation and the bylaws and may
 - (a) approve the registration,
 - (b) refuse to approve the registration, or
 - (c) defer approval until the applicant has fulfilled either or both of the following:
 - (i) passed examinations or completed course work as required by the Registration Committee;
 - (ii) completed any further type and term of experience required by the Registration Committee in order to satisfy the requirements of

- (A) section 9, in the case of a person applying to become a Candidate Member, or
- (B) section 10, in the case of a person applying to become an Accredited Municipal Assessor of Alberta.

(2) The Registration Committee must send a written notice of any decision made by it to the applicant.

(3) If the decision made by the Registration Committee is to refuse the registration of the applicant, the Registration Committee must send the applicant written reasons for the decision.

Review of application

5(1) An applicant whose application for registration is refused by the Registration Committee may, by notice in writing served on the Association Registrar within 30 days of receiving a notice of refusal and the reasons for it, appeal the refusal to the Executive Committee.

(2) The notice of appeal must set out the reasons why, in the applicant's opinion, the application for registration should be approved.

(3) An applicant who appeals a decision of the Registration Committee under this section

- (a) must be notified in writing by the Association Registrar of the date, place and time that the Executive Committee will hear the appeal, and
- (b) is entitled to appear with counsel or an agent and make representations to the Executive Committee when it hears the appeal.

(4) A member of the Registration Committee who is also a member of the Executive Committee may participate in the appeal but may not

- (a) vote on a decision of the Executive Committee under this section, or
- (b) be counted for the purposes of a quorum of the Executive Committee when it hears the appeal.

(5) On hearing an appeal under this section, the Executive Committee may make any decision the Registration Committee may make, and must give written notice of its decision to the applicant.

Proof of registration

6 On entering the name of a Regulated Member in the appropriate register, the Association Registrar must issue proof of registration to that person.

Payment of fees

7(1) A Regulated Member must pay the annual fee prescribed by the bylaws to the Association Registrar or to any person authorized by the Association Registrar to accept payment of the fee.

(2) A Regulated Member who applies for a renewal of registration after the annual renewal date prescribed by the Executive Committee must pay the late renewal fee prescribed by the bylaws to the Association Registrar or to any person authorized by the Association Registrar to accept payment of the fee.

(3) The Executive Committee may waive, in whole or in part, a late renewal fee imposed under subsection (2) on being satisfied that it is appropriate to do so in the circumstances.

Continuing education

8(1) In this section, “developmental activity” means an activity that enhances an Accredited Municipal Assessor of Alberta’s knowledge of or proficiency in the practice of assessment.

(2) The Practice Review Committee may grant education credits to an Accredited Municipal Assessor of Alberta for the satisfactory completion of a developmental activity.

(3) For the purpose of granting education credits pursuant to subsection (2), the Executive Committee must establish a schedule setting out the number of credits assigned to each developmental activity.

Registration as Candidate Member

9(1) Subject to subsection (2), an applicant is entitled to be registered as a Candidate Member if the applicant

- (a) is 18 years of age or older,
- (b) is lawfully authorized to work in Canada,
- (c) provides evidence of good character and reputation,
- (d) is engaged in the practice of assessment,

- (e) provides written confirmation of the applicant's sponsorship by an Accredited Municipal Assessor of Alberta,
- (f) pays the application fee in accordance with the bylaws,
- (g) has a high school diploma or a substantively equivalent diploma, and
- (h) is working to meet the requirement set out in section 10(e)(i)(A).

(2) Unless otherwise authorized by the Registration Committee, a person may only be a Candidate Member for 8 years.

Registration as Accredited Municipal Assessor of Alberta

10 An applicant is entitled to be registered as an Accredited Municipal Assessor of Alberta if the applicant

- (a) is lawfully authorized to work in Canada,
- (b) provides evidence of good character and reputation,
- (c) forwards a completed Application for Accreditation to the Registration Committee,
- (d) has successfully completed the Alberta assessment legislation examinations as approved by the Registration Committee,
- (e) meets one of the following requirements:
 - (i) the applicant produces documentation satisfactory to the Registration Committee showing that the applicant
 - (A) has obtained a diploma or degree from a post-secondary educational property valuation program approved by the Executive Committee,
 - (B) has knowledge, acceptable to the Registration Committee, of the specific legislative and regulatory requirements and responsibilities of assessors in Alberta,
 - (C) has been a Candidate Member for at least the 12-month period immediately preceding the application,

- (D) has at least 48 months' experience in the practice of assessments acceptable to the Registration Committee, and
 - (E) has successfully completed any examinations and a Property Demonstration Report required by the Registration Committee;
 - (ii) the applicant is registered in good standing with a reciprocal association that is recognized by the Executive Committee as having substantively equivalent competence and practice requirements;
 - (iii) the applicant has satisfied the Registration Committee as having a combination of education, training, experience, examinations and other qualifications that demonstrate the competence required for registration as an Accredited Municipal Assessor of Alberta,
- and
- (f) pays the application fee in accordance with the bylaws.

Annual membership card

11(1) The Association Registrar must issue an annual membership card to an Accredited Municipal Assessor of Alberta

- (a) who has been engaged in the practice of assessment for a period of not less than 6 months during the preceding 24-month period,
- (b) who, in each professional development cycle, as determined by the Executive Committee, has obtained sufficient education credits in accordance with policy as established by the Association and approved by the Executive Committee,
- (c) whose registration is not under suspension or cancelled, and
- (d) who has paid the annual fee in accordance with the bylaws.

(2) Despite subsection (1)(b), if an Accredited Municipal Assessor of Alberta has not obtained sufficient education credits in accordance with that provision, the Registration Committee may nevertheless direct the Association Registrar to issue an annual membership card to the Accredited Municipal Assessor of Alberta

subject to any conditions that the Registration Committee considers appropriate with respect to the completion of the requirements.

(3) The Association Registrar must issue an annual membership card to a Candidate Member

- (a) who has been engaged in the practice of assessment for a period of not less than 6 months during the preceding 24-month period,
- (b) whose registration is not under suspension or cancelled, and
- (c) who has paid the annual fee in accordance with the bylaws.

(4) If the Registration Committee directs the Association Registrar not to issue an annual membership card to an Accredited Municipal Assessor of Alberta or to a Candidate Member,

- (a) the Registration Committee must send the Accredited Municipal Assessor of Alberta or the Candidate Member, as the case may be, written reasons for the refusal, and
- (b) the Accredited Municipal Assessor of Alberta or the Candidate Member, as the case may be, may appeal the refusal to the Executive Committee.

(5) Section 5 applies, with all necessary modifications, to an appeal under subsection (4).

(6) An annual membership card expires on the date prescribed in the bylaws.

Practice Review Committee

12(1) The Practice Review Committee is established consisting of

- (a) one Accredited Municipal Assessor of Alberta who is a member of the Executive Committee, and
- (b) at least 3 other Accredited Municipal Assessors of Alberta who are not members of the Executive Committee, one of whom must be appointed by the President as chair.

(2) The members of the Practice Review Committee must be appointed by the President in accordance with the bylaws.

(3) The Practice Review Committee must meet at the call of the chair.

(4) A quorum at a meeting of the Practice Review Committee is 3 voting members.

Powers and duties of Practice Review Committee

13 The Practice Review Committee

- (a) may, on its own initiative, and must, at the request of the Executive Committee, inquire into, report to and advise the Executive Committee in respect of
 - (i) the evaluation and development of education standards and experience requirements that are conditions precedent to registration as an Accredited Municipal Assessor of Alberta,
 - (ii) the evaluation of desirable standards of competence for the practice of assessment generally,
 - (iii) the evaluation and development of continuing education programs for the upgrading and enrichment of Accredited Municipal Assessors of Alberta,
 - (iv) the identification of reciprocal associations, and the equivalency of their membership requirements,
 - (v) any other matters that the Executive Committee considers necessary or appropriate in connection with the exercise of its powers and the performance of its duties in relation to competence in the practice of assessment under this Regulation, and
 - (vi) the practice of assessment generally,and
- (b) may, with the approval of the Executive Committee, conduct a review of the practice of a Regulated Member.

Notice

14 The Practice Review Committee must give reasonable notice to a Regulated Member of its intention to conduct a review of the practice of the Regulated Member.

Reports and recommendations

15 After each inquiry or review under section 13, the Practice Review Committee

- (a) must make a written report to the Executive Committee on the inquiry or review and, where appropriate, on its decision,
- (b) may make recommendations to the Executive Committee regarding the matter inquired into or reviewed, together with reasons,
- (c) may make recommendations to a Regulated Member as to that member's conduct in the practice of assessment, and
- (d) must, if it is of the opinion that the conduct of a Regulated Member constitutes or may constitute
 - (i) unskilled practice of the profession, or
 - (ii) professional misconduct within the meaning of section 19 of the Act,

immediately refer the matter relating to that conduct to the chair of the Discipline Committee to be dealt with under Part 3 of the Act.

Discipline Committee

16(1) The Discipline Committee is established consisting of

- (a) one Accredited Municipal Assessor of Alberta who is a member of the Executive Committee, and
- (b) at least 3 other Accredited Municipal Assessors of Alberta who are not members of the Executive Committee, one of whom must be appointed by the President as chair.

(2) The members of the Discipline Committee must be appointed by the President in accordance with the bylaws.

(3) The Discipline Committee must meet at the call of the chair.

(4) A quorum at a meeting of the Discipline Committee is 3 voting members.

Written complaint

17 A person who wishes to submit a complaint must, in accordance with section 20 of the Act, make it in writing, sign it and submit it to the chair of the Discipline Committee.

Costs

18(1) The Discipline Committee, with respect to hearings before it, and the Executive Committee, with respect to reviews by it, may order the investigated person to pay the following costs:

- (a) the fee payable to the counsel advising the Discipline Committee or Executive Committee at the hearing or review and the fee payable to the counsel acting in a prosecutory role at the hearing or review;
- (b) the cost of recording the evidence and preparing transcripts;
- (c) the expenses of the members constituting the Discipline Committee, including, without limitation, the daily allowances of those members;
- (d) any other expenses incurred by the Association that are incidental to the hearing or review.

(2) If the Executive Committee determines under section 22(3)(a) of the Act that a complaint is frivolous or vexatious, it may order the complainant to pay the following costs:

- (a) the fee payable to the counsel advising the Executive Committee at any hearing held by the Executive Committee;
- (b) any other expenses incurred by the Association that are incidental to any hearing held by the Executive Committee.

Cancellation and suspension

19(1) The registration of a Regulated Member is cancelled or suspended when the decision to cancel or suspend the registration is made in accordance with the Act or this Regulation.

(2) The Association Registrar must enter a memorandum of the cancellation or suspension of the registration in the appropriate register indicating

- (a) the date of the cancellation or suspension,
- (b) the period of the suspension, and
- (c) the nature of any finding under Part 3 of the Act.

(3) If the registration of a Regulated Member is cancelled, the person whose registration is cancelled must, on request, surrender

to the Association Registrar all documents relating to the registration.

Non-payment of fees, etc.

20(1) The Executive Committee must direct the Association Registrar to suspend or cancel the registration of a Regulated Member who is in default of payment of annual fees, penalties, costs or any other fees, dues or levies payable under the Act, this Regulation or the bylaws after the expiration of 30 days following the service on that person of a written notice by the Executive Committee unless that person complies with the notice.

(2) The notice under subsection (1) must state that the Association Registrar must suspend or cancel the registration unless the fees, penalties, costs, dues or levies are paid as indicated in the notice.

Cancellation on request

21 The Association Registrar shall not cancel the registration of a Regulated Member at the request of the Regulated Member until the request is reported to and confirmed by the Registration Committee.

Notice of cancellation or suspension

22 The Executive Committee may publish, in any manner it considers appropriate, notice of the cancellation or suspension of the registration of a Regulated Member.

Use of title

23 An Accredited Municipal Assessor of Alberta may use the title “Accredited Municipal Assessor of Alberta” and the abbreviations “A.M.A.A.” and “AMAA”.

Code of conduct and ethics

24(1) A Regulated Member shall

- (a) be dedicated to the profession,
- (b) perform the practice of assessment with fairness, honesty and integrity,
- (c) apply expertise and due diligence in performing the practice of the profession,
- (d) work toward earning the respect and confidence of all of those served through the practice of assessment,

- (e) maintain professional competence by keeping informed of and complying with developments in the acknowledged standards of the profession in which the member practices,
 - (f) disclose to all affected parties any potential conflict of interest that arises or is likely to arise during the performance of his or her duties,
 - (g) always act in accordance with the duties and responsibilities associated with being a member of the Association,
 - (h) at all times act in a manner that will enhance the image of the profession and the Association, and
 - (i) report to the Association conduct by any member that may be considered unethical.
- (2) A Regulated Member shall not
- (a) undertake assessments for which he or she is not qualified through either lack of education, experience or ability,
 - (b) advance his or her membership or candidacy as evidence of professional qualifications,
 - (c) claim professional qualifications that are misleading or not factual,
 - (d) put forward membership or any designation granted by the Association as authority to undertake the practice of assessment in areas in which he or she is not fully qualified,
 - (e) allow the interests of outside parties to take precedence over his or her professional duties,
 - (f) make any irresponsible public statements of value,
 - (g) disclose any information of a confidential nature to any person except where required by law, and
 - (h) contravene any law or standards of practice under which he or she is bound.

Transitional

25(1) In this section, “previous Regulation” means the *Municipal Assessor Regulation* (AR 84/94).

(2) The Association Registrar must enter in the register of Accredited Municipal Assessors of Alberta or the register of Candidate Members the name of a person who, on the coming into force of this Regulation, was registered as an accredited municipal assessor of Alberta, a candidate member, a non-resident accredited municipal assessor or a non-resident candidate member, as the case may be, under the previous Regulation.

Repeal

26 The *Municipal Assessor Regulation* (AR 84/94) is repealed.

Review

27 This Regulation must be reviewed on or before November 30, 2024.

AR 347/2009 s27;171/2014



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