

**ORDER OF AN EXECUTIVE OFFICER  
CLOSED FOR TENANT ACCOMMODATION PURPOSES  
ORDER TO VACATE**

**To:** Mary Lynn Ghitter  
"the Owner"

**And To:** All Occupant(s) of the following Housing premises:

**RE:** Those housing premises located in Red Deer, Alberta and municipally described as:  
4645 47 Street

**WHEREAS** I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted premises pursuant to the provisions of the **Public Health Act**, RSA 2000, c. P-37, as amended;

**AND WHEREAS** such inspection disclosed that the following conditions exist in and about the above noted premises which are or may become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease, namely:

- a. The bedroom windows in the basement and southeast room on the main floor have unacceptable opening areas.
- b. There is no smoke alarm installed in the hallway servicing the northeast bedroom on the main floor, and the smoke alarm in the basement is not operational.
- c. The mechanical ventilation in the basement bathroom is not operational.
- d. The front entrance is not equipped with doorsteps and handrails, and the backdoor entrance is not equipped with handrails.
- e. The insect screens are missing from the windows in the basement, main floor kitchen, and main floor bedroom.
- f. The exterior side of the window frames for the basement shows signs of deterioration.
- g. On the main floor, the windows in the kitchen and the northeast bedroom, could not close all the way.
- h. An electrical outlet cover in the basement bedroom is missing.
- i. In the basement living room, portions of the wall and floor coverings are missing. There is also a hole in the ceiling of the basement closet and the wall of the main floor living room.

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. The bedroom windows in the basement and southeast room on the main floor have unacceptable opening areas. This is in contravention of section 3(b)(ii) of the Minimum Housing and Health Standards which states: "Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15")."
- b. There is no smoke alarm installed in the hallway servicing the northeast bedroom on the main floor, and the smoke alarm in the basement is not operational. This is in

contravention of section 12 of the Minimum Housing and Health Standards which states: “Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway. (a) Smoke alarms shall be operational and in good repair at all times.”

- c. The mechanical ventilation in the basement bathroom is not operational. This is in contravention of section 7(c) of the Minimum Housing and Health Standards which states: “All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.”
- d. The front entrance is not equipped with doorsteps and handrails, and the backdoor entrance is not equipped with handrails. This is in contravention of section 3(c)(i) of the Minimum Housing and Health Standards which states: “Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.”
- e. The insect screens are missing from the windows in the basement, main floor kitchen, and main floor bedroom. This is in contravention of section 2(b)(iii) of the Minimum Housing and Health Standards which states: “During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.”
- f. The exterior side of the window frames for the basement shows signs of deterioration. This is in contravention of section 1(c) of the Minimum Housing and Health Standards which states: “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
- g. On the main floor, the windows in the kitchen and the northeast bedroom could not close all the way. This is in contravention of section 2(b)(i) of the Minimum Housing and Health Standards which states: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- h. An electrical outlet cover in the basement bedroom is missing. This is in contravention of section 11 of the Minimum Housing and Health Standards which states: “Every housing premises shall be supplied with electrical services. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”
- i. In the basement living room, portions of the wall and floor coverings are missing. There is also a hole in the ceiling of the basement closet and the wall of the main floor living room. This is in contravention of section 5 of the Minimum Housing and Health Standards which states: “All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.”

**AND WHEREAS**, by virtue of the foregoing, the above noted premises are hereby declared to be **Closed for Tenant Accommodation Purposes**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the occupants vacate the above noted premises on or before April 30, 2022.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

- a. Ensure the bedrooms have a window that meets the emergency egress requirements.
  - b. Install an operational smoke alarm in the hallway servicing the bedrooms.
  - c. Install an operational mechanical ventilation or an openable window in the basement bathroom.
  - d. Install doorsteps and handrails at the front entrance, and install handrails at the doorsteps of the backdoor entrance.
  - e. Install insect screens for the windows.
  - f. Repair or replace the deteriorating window frames.
  - g. Repair or replace the windows so they can be properly secured.
  - h. Install an electrical outlet cover in the basement bedroom.
  - i. Repair the wall and ceiling, and install floor coverings.
3. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted premises shall remain closed for tenant accommodation purposes.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Red Deer, Alberta, April 13, 2022.

Confirmation of a verbal order issued to Mary Lynn Ghitter on April 12, 2022.

Executive Officer  
Alberta Health Services

You have the right to appeal

A person who      a) is directly affected by a decision of a Regional Health Authority, and  
                             b) feels himself aggrieved by the decision

may appeal the decision by submitting a Notice of Appeal form within ten (10) days after receiving the order to:

Public Health Appeal Board  
c/o Central Reception  
Main Floor, ATB Place North Tower  
10025 Jasper Avenue NW  
Edmonton, Alberta, T5J 1S6  
Phone: 780-222-5186  
Fax: 780-422-0914  
Email: [HealthAppealBoard@gov.ab.ca](mailto:HealthAppealBoard@gov.ab.ca)

Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or [www.qp.gov.ab.ca](http://www.qp.gov.ab.ca).

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Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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