

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

**To:** Frans Jacobus Wilhelmus Van Der Merwe  
"the Owner"

Anneke Van Der Merwe  
"the Owner)

**And To:** All Occupant(s) of the following Housing premises: 170043B Range Road 250

**RE:** Those housing premises located in Vulcan, Alberta and municipally described as:  
170043B Range Road 250

**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, in contravention of the Public Health Act and the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 namely:

- a. None of the bedroom windows on the main floor or the second floor meet the emergency egress requirements, as the latch mechanism was observed in the middle of the openable area.
- b. The window in the west bedroom on main floor did not open.
- c. The smoke alarm in the kitchen expired in 2025.
- d. The stairs leading to the basement and 2nd floor did not have handrails.
- e. The bedrooms on the second floor measured at 5 degrees Celsius.
- f. The left handrail on the stairs leading to the deck was not properly secured.
- g. The stairways to the basement and second floor lack adequate lighting.
- h. The basement window on the south corner of the house was broken.
- i. The hot water temperature at the washroom hand sink on the main floor measured at 64°C.

**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. None of the bedroom windows on the main floor or the second floor meet the emergency egress requirements, as the latch mechanism was observed in the middle of the openable area. This is in contravention of the section III(3)(b)(i, ii) of the minimum housing and health standards which states that "(i) For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each

bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge. (ii) 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. The window in the west bedroom on main floor did not open. This is in contravention of the section III(3)(b)(i) of the minimum housing and health standards which states that “(i) For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge.”
- c. The smoke alarm in the kitchen expired in 2025. This is in contravention of the section IV(12) of the minimum housing and health standards which states that “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.”
- d. The stairs leading to the basement and 2nd floor did not have handrails. This is in contravention of the section III(3)(c)(i) of the minimum housing and health standards which states that “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 bedrooms on the second floor measured at 5 degrees Celsius. This is in contravention of section IV(8)(a) of the Minimum Housing and Health Standards which states that: All heating facilities within a housing premises are to be properly installed and maintained in good working condition and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of at least 22C, or maintained at a temperature of at least 22C when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.”
- f. The left handrail on the stairs leading to the deck was not properly secured. This is in contravention of the section III(3)(c)(i) of the minimum housing and health standards which states that “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.”
- g. The stairways to the basement and second floor lack adequate lighting. This is in contravention of the section IV(13) of the minimum housing and health standards which states that “Every public hallway and stairway in a housing premises with multiple dwellings shall be adequately lighted by natural or artificial light at all times, providing in all parts thereof at least 50 lux of light at each tread or floor level.”
- h. The basement window on the south corner of the house was broken. This is in contravention of the section III(2)(b)(i) of the minimum housing and health standards which

states that “All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.”

- i. The hot water temperature at the washroom hand sink on the main floor measured at 64°C. This is in contravention of the section IV(9)(a) of the minimum housing and health standards which states that “Every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants. (a) All hot running water shall be maintained at a temperature of not less than 46 degrees C (1140F), and not more than 60 degrees C (1400F) measured at the plumbing fixture.”

**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 Owner takes all steps necessary to ensure all Occupants vacate the above noted premises on or before March 1, 2026.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Replace or modify the all bedroom windows to provide an unobstructed opening of not less than 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>), with no dimension less than 380 mm (15 in.), to meet emergency egress requirements.
  - b. Install a smoke alarm with a valid expiry date.
  - c. Install handrails on the stairways leading to the basement and second floor.
  - d. Ensure all habitable rooms throughout the house are maintained at temperature of 22 degrees Celsius or higher.
  - e. Repair the left handrail on the stairways leading to the deck.
  - f. Ensure adequate lighting is provided on the stairways leading to the basement and second floor.
  - g. Replace or repair the broken window.
  - h. Ensure hot water supply is maintained at temperature of not less than 46°C, and not more than 60°C measured at the fixture.
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 Vulcan, Alberta, March 3, 2026.

Confirmation of a verbal order issued to Anneke Van Der Merwe on February 25, 2026.

Executive Officer  
Environmental Health Officer

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, Telus Plaza 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: <http://www.health.alberta.ca/about/PHAB.html>

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: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)

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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)