

ORDER OF AN EXECUTIVE OFFICER

To: Gem Commercial Investment Ltd. and Board of Directors
“the Owners”

RE: Those housing premises located in Red Deer, Alberta and municipally described as:
4124 50 Avenue.

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. Smoke detectors were either not installed or were non-functional in the following units: 102, 106, 110, 111, 112, 237, 239, 240, 242, 210, 208, 207, 202, 136, 138, 139, 140, 141, 142, 146, 132, 133, 130, 230, 232, 233, 234.
- b. The building's fire alarm system is currently non-operational due to water infiltration, which has resulted in electrical issues affecting the system's functionality.
- c. Emergency egress windows were found to be unopenable or obstructed in the following units: 102, 105, 108, 110, 111, 238, 241, 242, 211, 208, 207, 138, 140, 141, 142, 145, 146, 130, 232, and 234.
- d. Bathroom toilet was in disrepair, clogged, partially clogged or located in the bathtub in the following units: 212, 205, 202, 136, 231.
- e. Bathroom and kitchen sinks were in disrepair or clogged in the following units: 209, 137, 132, 233.
- f. Water damage and active leaks were observed in the ceilings of the second-floor hallway and in unit 209.
- g. The second-floor hallway flooring was stained, dirty and there was evidence of previous brown leftover water that had dried and not been cleaned up.
- h. An uncovered outlet exposed with wiring was observed in unit 207.
- i. Mold was observed on the bathroom wall in unit 241.

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. Smoke detectors were either not installed or were non-functional in the following units: 102, 106, 110, 111, 112, 237, 239, 240, 242, 210, 208, 207, 202, 136, 138, 139, 140, 141, 142, 146, 132, 133, 130, 230, 232, 233, 234. 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.”
- b. The building's fire alarm system is currently non-operational due to water infiltration, which has resulted in electrical issues affecting the system's functionality. This is in contravention

of section 5(2) of the Housing Regulation which states “No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.”

- c. Emergency egress windows were found to be unopenable, or obstructed in the following units: 102, 105, 108, 110, 111, 238, 241, 242, 211, 208, 207, 138, 140, 141, 142, 145, 146, 130, 232, and 234. This is in contravention of section 1(c) of the Minimum Housing and Health Standards which states “For buildings of 3 stories 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.” This is in contravention of section 5(2) of the Housing Regulation which states “No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.”
- d. Bathroom toilets were found to be in disrepair, clogged or improperly installed in the following units: 212, 205, 202, 136, and 231. This is in contravention of section 6(a) of the Minimum Housing and Health Standards which states “The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pump out sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.” This is also in contravention of section 3(2) of the Housing Regulation which states “An owner shall ensure that the housing premises’ plumbing system and facilities provided under subsection (1)(b) are free from defects and maintained in proper operating condition.”
- e. Bathroom and kitchen sinks were in disrepair or clogged in the following units: 209, 137, 132 and 233. This is in contravention of section 6(a) of the Minimum Housing and Health Standards which states “The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pump out sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.” This is also in contravention of section 3(2) of the Housing Regulation which states “An owner shall ensure that the housing premises’ plumbing system and facilities provided under subsection (1)(b) are free from defects and maintained in proper operating condition.”
- f. Water damage and active leaks were observed in the ceiling of the second-floor hallway and within unit 209. 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. A wastewater pipe was observed to be leaking on the second floor. The flooring in the second-floor hallway was stained and unsanitary. Evidence of previously accumulated discolored (brown) water was observed, which had dried and had not been properly cleaned or remediated. This is in contravention of section 6(a) of the Minimum Housing and Health Standards which states “The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pump out sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.” This is also in contravention of section 16 of the Minimum Housing and Health Standards which states “The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition.”

- h. An uncovered electrical wall outlet with exposed wiring was observed in unit 207. This is in contravention of section 11 of the Minimum Housing and Health Standards which states "Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition."
- i. Mold was observed on the bathroom wall in unit 241. This is in contravention of section 1(c) of the Housing Regulation which states "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."

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

1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure functional smoke alarms are installed as per the requirements outlined in the Minimum Housing and Health Standards.
 - b. Ensure the fire alarm system is repaired by a qualified technician and in proper operating condition. Provide written documentation from a qualified technician confirming this requirement.
 - c. Ensure all emergency egress windows are openable, unobstructed and in good repair.
 - d. Ensure toilets are repaired and in proper operating condition.
 - e. Ensure bathroom and kitchen sinks are repaired and in proper operating condition.
 - f. Ensure all water damaged materials are repaired and/or replaced. Identify the source of the leaks and repair as required. All materials which have mold present must be remediated as per current accepted guidelines.
 - g. Ensure that the wastewater pipe is repaired and free from any leaks. Thoroughly clean and disinfect second floor hallway.
 - h. Install a suitable cover for the electrical outlet.
 - i. Ensure mold growth on the wall is remediated as per current accepted guidelines.
2. The work referred to in paragraph 1 sections a, c, d, e, g, h and i shall be completed by July 10, 2026.
3. The work referred to in paragraph 1 sections b and f shall be completed by July 22, 2026.

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, July 9, 2026

Executive Officer
Alberta Health Services

If you have any questions regarding the order, contact Environmental Public Health at 1-833-476-4743 or https://www.albertahealthservices.ca/eph/eph.aspx
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You have the right to appeal

A person who is directly affected by a 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
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting the Public Health Appeal Board or visiting their website.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Health Legislation and regulations are available for purchase. Please contact Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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