

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

To: Robert M Oxman
Cynthia R Oxman
“the Owners”

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

RE: Those housing premises located in Red Deer, Alberta and municipally described as:
4126 51 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 basement bedroom windows could not be opened and do not meet emergency egress requirements.
- b. The unobstructed openings for all bedrooms on the main floor do not meet emergency egress requirements.
- c. The main floor smoke detector was not operational.

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 basement bedroom windows could not be opened and do not meet emergency egress requirements. The unopened (sliding) window dimensions measured approximately 25 inches by 15 inches (2.6 square feet). This is in contravention of Section 3(b)(i) of the Minimum Housing and Health Standards which states: “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.” and Section 3(b)(ii) of the Minimum Housing and Health Standards which states: “Windows shall provide unobstructed openings with areas not less than 0.35 square metres (3.8 sq. ft.) with no dimension less than 380 mm (15 inches).”
- b. The unobstructed openings for all bedrooms on the main floor do not meet emergency egress requirements. The unobstructed openings for the main floor north facing bedroom windows measured approximately 23 inches by 12 inches (1.9 square feet) and 23 inches by 16 inches (2.6 square feet). The unobstructed openings for the south facing master bedroom windows measured approximately 15 inches by 10 inches (1.04 square

feet) and 15 inches by 16.5 inches (1.72 square feet). This is in contravention of Section 3(b)(ii) of the Minimum Housing and Health Standards which states: "Windows shall provide unobstructed openings with areas not less than 0.35 square metres (3.8 sq. ft.) with no dimension less than 380 mm (15 inches)."

- c. The main floor bedroom hallway smoke detector was not operational. This is in contravention of Section 12(a) of the Minimum Housing and Health Standards which states: "Smoke alarms shall be operational and in good repair at all times."

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 March 11, 2025.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure all basement bedrooms windows are openable from the inside without the use of tools or special knowledge.
 - b. Ensure all bedrooms have a window for emergency egress with an unobstructed openable area of 3.8 sq. ft. with no dimension less than 15 inches for emergency egress.
 - c. Ensure the main floor smoke alarm is operational 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.
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, February 26, 2025
Confirmation of a verbal order issued to Robert M Oxman on February 26, 2025.

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, 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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Copy: City of Red Deer