

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

**To:** David Felker  
"the Owner"

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

**RE:** Those housing premises located in Mountain View County, Alberta and municipally described as: 4436 Highway 27.

**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 Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 namely:

- a. There were numerous electrical switch covers and outlet covers missing in the kitchen and living room areas.
- b. The electric outlets in the upstairs bedroom were not functioning.
- c. All the light fixtures in the basement were hanging by their wires.
- d. There were damaged portions of ceiling in the kitchen and living room.
- e. The floor transition between the master bedroom and bathroom was missing and the carpet was worn and frayed, creating a trip hazard.
- f. The paint was damaged and peeling off the bathroom wall.
- g. The carpet at the bottom of the upstairs stairs was loose and frayed and presented a trip hazard.
- h. There was raw wood paneling at the top of the basement stairs.
- i. The kitchen faucet cold water tap did not work.
- j. The furnace was not working at the time of the inspection and the tenant reported the furnace had not been working reliably for a period of time.
- k. The light on the upper stairs was not working.
- l. There was sewage backed up into the basement.
- m. It was reported that the landlord was manually pumping out the septic tank onto the ground outside of the house.
- n. The septic system was not functioning properly, which resulted in effluent backup into the basement.
- o. Of the two windows in the master bedroom, one was too small to be an egress window (15" x 22.5") and the other was very difficult to open and did not appear to have a means to lock open for egress use.
- p. The two upstairs bedroom windows were too small to be egress windows (20" x 26").
- q. The handrail leading upstairs was loose and wobbly at the bottom end. The basement stairs and the east side exterior stairs were missing handrails.

- r. The following windows did not have a functioning lock: north side kitchen window, south side living room window, and two basement windows, which were only spray foamed shut.
- s. There was no smoke detector installed outside of the upstairs bedrooms.
- t. The smoke detector outside the master bedroom (living room ceiling) was very old and needs to be replaced.
- u. The toilet was loose on the floor.
- v. There was unfinished wood all around the shower.
- w. The wall panels that made up the shower area were not caulked and not caulked to the floor pan.
- x. The roof had only partially been replaced. There was a large section on the NE corner where the roof was unfinished.
- y. The upstairs east side bedroom window was cracked.
- z. There were numerous single pane windows throughout the home: kitchen window, laundry room window, master bedroom window.
- aa. The south side exterior door weather seal was damaged or worn.
- bb. Large portions of the exterior siding on the north and west sides of the house were missing or unfinished.
- cc. There were concerns about the condition of the water well. Sampling had not been conducted.

**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 and the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 exist in and about the above noted premises, namely:

- a. There were numerous electrical switch covers and outlet covers missing in the kitchen and living room areas, which is a violation of the Minimum Housing and Health Standards Section 11, 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."
- b. The electric outlets in the upstairs bedroom were not functioning, which is a violation of the Minimum Housing and Health Standards Section 11, 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."
- c. All the light fixtures in the basement were hanging by their wires, which is a violation of the Minimum Housing and Health Standards Section 11, 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."
- d. There were damaged portions of ceiling in the kitchen and living room, which is a violation of the Minimum Housing and Health Standards Section 5, 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."
- e. The floor transition between the master bedroom and bathroom was missing and the carpet was worn and frayed, creating a trip hazard, which is a violation of the Minimum Housing and Health Standards Section 5, 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."

- f. The paint was damaged and peeling off the bathroom wall, which is a violation of the Minimum Housing and Health Standards Section 5(a), which states: “Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.”
- g. The carpet at the bottom of the upstairs stairs was loose and frayed and presented a trip hazard, which is a violation of the Minimum Housing and Health Standards Section 5, 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.”
- h. There was raw wood paneling at the top of the basement stairs, which is a violation of the Minimum Housing and Health Standards Section 5, 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.”
- i. The kitchen faucet cold water tap did not work, which is a violation of the Minimum Housing and Health Standards Section 14(a)(i), which states: “Every housing premises shall be provided with a food preparation area, which includes: a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation.”
- j. The furnace was not working at the time of the inspection and the tenant reported the furnace had not been working reliably for a period of time, which is a violation of the Minimum Housing and Health Standards Section 8(a), which states: “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.”
- k. The light on the upper stairs was not working, which is a violation of the Minimum Housing and Health Standards Section 13, which states: “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.”
- l. There was sewage backed up into the basement, which is a violation of the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, Section 2(1), which states: “No person shall create, commit or maintain a nuisance.” and Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, Section 2(2)(e) which states: “Without limiting the generality of subsection 1, a person who creates, commits or maintains any accumulation or deposit of offensive matter, waste or manure wherever situated, that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.”
- m. It was reported that the landlord was manually pumping out the septic tank onto the ground outside of the house, which is a violation of the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, Section 2(1), which states: “No person shall create, commit or maintain a nuisance.” and Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003, Section 2(2)(e) which states: “Without limiting the generality of subsection 1, a person who creates, commits or maintains any accumulation or deposit of offensive matter, waste or manure wherever situated, that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.”

- n. The septic system was not functioning properly, which resulted in effluent backup into the basement, which is a violation of the Minimum Housing and Health Standards Section 6(a), which states: "Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. 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."
- o. Of the two windows in the master bedroom, one was too small to be an egress window (15" x 22.5") and the other was very difficult to open and did not appear to have a means to lock open for egress use, which is a violation of the Minimum Housing and Health Standards Section 3(b)(ii), which states: "Windows 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")."
- p. The two upstairs bedroom windows were too small to be egress windows (20" x 26"), which is too small for emergency egress, which is a violation of the Minimum Housing and Health Standards Section 3(b)(ii), which states: "Windows 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")."
- q. The handrail leading upstairs was loose and wobbly at the bottom end. The basement stairs and the east side exterior stairs were missing handrails. These are a violation of the Minimum Housing and Health Standards Section 3(c)(i), 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."
- r. The following windows did not have a functioning lock: north side kitchen window, south side living room window, and two basement windows, which were only spray foamed shut, which is a violation of the Minimum Housing and Health Standards Section 3(a), which states: "Exterior windows and doors shall be capable of being secured."
- s. There was no smoke detector installed outside of the upstairs bedrooms, which is a violation of the Minimum Housing and Health Standards Section 12, 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."
- t. The smoke detector outside the master bedroom (living room ceiling) was very old and needs to be replaced, which is a violation of the Minimum Housing and Health Standards Section 12(a), which states: "Smoke alarms shall be operational and in good repair at all times."
- u. The toilet was loose on the floor, which is a violation of the Minimum Housing and Health Standards Section 6(c), which states: "All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside."
- v. There was unfinished wood all around the shower, which is a violation of the Minimum Housing and Health Standards Section 5(a), which states: "Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower."
- w. The wall panels that made up the shower area were not caulked and not caulked to the floor pan, which is a violation of the Minimum Housing and Health Standards Section 5(a), which states: "Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls

shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.”

- x. The roof had only partially been replaced. There was a large section on the NE corner where the roof was unfinished, which is a violation of the Minimum Housing and Health Standards Section 2(a), which states: “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”
- y. The upstairs east side bedroom window was cracked, which is a violation of the Minimum Housing and Health Standards Section 2(b)(i), which states: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- z. There were numerous single pane windows throughout the home: kitchen window, laundry room window, master bedroom window, which is a violation of the Minimum Housing and Health Standards Section 2(b)(ii), which states: “In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier.”
- aa. The south side exterior door weather seal was damaged or worn, which is a violation of the Minimum Housing and Health Standards Section 2(b)(i), which states: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- bb. Large portions of the exterior siding on the north and west sides of the house were missing or unfinished, which is a violation of the Minimum Housing and Health Standards Section 2(a), which states: “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”
- cc. There were concerns about the condition of the water well. Sampling had not been conducted, which is a violation of the Housing Regulation, Alberta Regulation 173/99, Section 3(b)(iii), which states: “an owner shall ensure that, the occupants of the housing premises are supplied with adequate running hot and cold water that is safe for human consumption.”

**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(s) takes all steps necessary to ensure all Occupants vacate the above noted premises on or before February 9, 2026.
2. That the Owner(s) immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Install outlet and switch covers where they are missing in the kitchen and living room.
  - b. Repair the electric outlets in the upstairs bedrooms so they function.
  - c. Properly install the hanging light fixtures in the basement.
  - d. Repair the damaged ceiling areas and refinish them so as to provide a smooth, moisture proof and easily cleanable surface.
  - e. Install a flooring transition strip between the master bedroom and bathroom.
  - f. Repair the paint on the bathroom wall so as to provide a smooth and moisture proof surface.
  - g. Repair the carpet at the bottom of the stairs, so as to eliminate the trip hazard.

- h. Finish the raw wood paneling at the top of the basement stairs so as to provide a smooth and moisture proof surface.
  - i. Repair or replace the kitchen faucet so that it functions properly.
  - j. Repair or replace the furnace so that it functions reliably and can maintain at least 22C throughout the home.
  - k. Repair the light on the upper stairs.
  - l. Clean and sanitize the basement floor so as to remove the effluent and health hazard.
  - m. Immediately stop pumping waste onto the ground. Have the septic system repaired so that the tanks drain properly and do not need to be pumped out.
  - n. Repair the septic system.
  - o. Either repair the larger master bedroom window so it can be easily opened and locked open. Or install a window of a size to meet the egress requirements.
  - p. Install a window in each upstairs bedroom that meets the minimum egress window size.
  - q. Ensure all stairs are provided with a secure handrail.
  - r. Install locks on the following windows: north side kitchen window, south side living room window, and two basement windows.
  - s. Install a smoke detector outside the upstairs bedrooms.
  - t. Install a smoke detector outside the master bedroom which is operational and in good repair.
  - u. Firmly affix the toilet to the floor.
  - v. Finish the raw wood around the shower, to provide a smooth, moisture proof and easily cleaned surface.
  - w. Caulk the wall panels that make up the shower area and floor pan to prevent water ingress.
  - x. Complete the roof work to ensure the roof is weatherproof.
  - y. The cracked upstairs east side bedroom window should be replaced with an egress window.
  - z. Ensure the following windows are double paned: kitchen window, laundry room window, master bedroom window.
  - aa. Replace the south side exterior door weather seal.
  - bb. Finish all the exterior siding to provide a weatherproof exterior for the entire building.
  - cc. Submit biological water samples regularly.
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 Olds, Alberta, February 9, 2026

Confirmation of an order issued via phone to David Felker on February 9, 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, 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 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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