

ORDER OF AN EXECUTIVE OFFICER

To: Lionsheart Wholeness Centre Inc.
Wanda Rowe
Barbara Joyce Rowe
2196567 Alberta Ltd.
Ivan Harper
Laurie Ann Jimmy
Richard Stanley
Joseph Waskewitch Jr.
“the Owner”

RE: Those housing premises located in Legal, Alberta and municipally described as:
Lionsheart Wholeness Centre, 57413 Lily Lake Road, Legal, Alberta, T0G 1L0

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 guard rail (railing) surrounding the balcony for the “Beach House” is loose, not properly affixed and cannot safely bear weight. Some spindles are missing.
- b. The only means of entry for the “Beach House – Upstairs” unit is a rotten and deteriorated staircase and pedway leading to the balcony.
- c. The “Beach House – Upstairs” unit’s front door does not close and remain closed properly.
- d. The “Beach House – Downstairs” unit’s bedroom window does not meet egress requirements; the dimensions are too small and it does not open.
- e. The only means of entry for the “Studio – Left,” “Studio – Centre,” and “Studio – Right” units is an extremely sloped deck with rotten and damaged materials.
- f. The guard rail (railing) surrounding the deck for “Studio” is loose, not properly affixed and cannot safely bear weight. The guard rail has wide horizontal pieces which could allow climbing. The guard rail has no spindles to prevent someone from falling through and the Eastern portion of the deck has a potential fall height of >6 feet.
- g. The south-facing windows in the “Studio – Left” unit do not lock.
- h. The “Highway House” unit’s Master bedroom window, south bedroom window, south-west bedroom window, and storage room window all have broken panes.
- i. The “Highway House” unit’s laundry room window does not lock.
- j. The “Highway House” unit’s south bedroom window does not open.
- k. The “Flamingo – 1” unit’s kitchen window does not lock, and the back door does not close and remain closed properly.
- l. The “Bungalow” unit’s front door is damaged and does not close or lock properly.

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 guard rail (railing) surrounding the balcony for the “Beach House” is loose, not properly affixed and cannot safely bear weight. Some spindles are missing. This is in contravention of **Section 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.”*
- b. The only means of entry for the “Beach House – Upstairs” unit is a rotten and deteriorated staircase and pedway leading to the balcony. This is in contravention of **Section 5(2) of the Housing Regulation, AR 173/1999**, which states that, *“No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health ...”* and **Section 1(a) and (c) of the Minimum Housing and Health Standards**, which states that, *“The housing premises shall be structurally sound”* and *“Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”*
- c. The “Beach House – Upstairs” unit’s front door does not close and remain closed properly. This is in contravention of **Section 3(a) of the Minimum Housing and Health Standards**, which states that, *“Exterior windows and doors shall be capable of being secured.”*
- d. The “Beach House – Downstairs” unit’s bedroom window does not meet egress requirements; as the dimensions are too small and it does not open. This is in contravention of **Section 3(b)(i) and (ii) of the Minimum Housing and Health Standards**, which state that, *“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. Windows ... shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).”*
- e. The only means of entry for the “Studio – Left,” “Studio – Centre,” and “Studio – Right” units is an extremely sloped deck with rotten and damaged materials. This is in contravention of **Section 5(2) of the Housing Regulation, AR 173/1999**, which states that, *“No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health ...”* and **Section 1(a) and (c) of the Minimum Housing and Health Standards**, which states that, *“The housing premises shall be structurally sound”* and *“Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”*
- f. The guard rail (railing) surrounding the deck for “Studio” is loose, not properly affixed and cannot safely bear weight. The guard rail has wide horizontal pieces which could allow climbing. The guard rail has no spindles to prevent someone from falling through and the Eastern portion of the deck has a potential fall height of >6 feet. This is in contravention of **Section 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 south-facing windows in the “Studio – Left” unit do not lock. This is in contravention of **Section 3(a) of the Minimum Housing and Health Standards**, which states that, *“Exterior windows and doors shall be capable of being secured.”*
- h. The “Highway House” unit’s Master bedroom window, south bedroom window, south-west bedroom window, and storage room window all have broken panes. This is in contravention of **Section 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 "Highway House" unit's laundry room window does not lock. This is in contravention of **Section 3(a) of the Minimum Housing and Health Standards**, which states that, "*Exterior windows and doors shall be capable of being secured.*"
- j. The "Highway House" unit's south bedroom window does not open. This is in contravention of **Section 3(b)(i) and (ii) of the Minimum Housing and Health Standards**, which state that, "*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. Windows ... shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15").*"
- k. The "Flamingo – 1" unit's kitchen window does not lock, and the back door does not close and remain closed properly. This is in contravention of **Section 3(a) of the Minimum Housing and Health Standards**, which states that, "*Exterior windows and doors shall be capable of being secured.*"
- l. The "Bungalow" unit's front door is damaged and does not close or lock properly. This is in contravention of **Section 3(a) of the Minimum Housing and Health Standards**, which states that, "*Exterior windows and doors shall be capable of being secured.*"

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 all railing surrounding the "Beach House" balcony is free of rotten or damaged materials, in good repair, and in accordance with all local safety codes.
 - b. Ensure the staircase and pedway leading to the "Beach House – Upstairs" unit is free of rotten or damaged materials, in good repair, and in accordance with all local safety codes.
 - c. Repair or replace the "Beach House – Upstairs" front door.
 - d. Remove and replace the "Beach House – Downstairs" bedroom window with one that is openable with an area not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15").
 - e. Ensure the deck leading to the "Studio – Left", "Studio – Centre" and "Studio – Right" units is free of rotten or damaged materials, in good repair, and in accordance with all local safety codes and/or create a means of entry to these units in accordance with all local safety codes.
 - f. Ensure all guard rails required for entry into "Studio – Left," "Studio – Centre," and "Studio – Right" units are constructed in accordance with all local safety codes.
 - g. Repair or replace the south-facing windows in the "Studio – Left" unit so that they are capable of locking.
 - h. Repair or replace the "Highway House" unit's Master bedroom window, south bedroom window, south-west bedroom window and storage room window so that they do not have cracked or broken panes.
 - i. Repair or replace the "Highway House" unit's laundry room window so that it is capable of locking.
 - j. Repair or replace the "Highway House" unit's south bedroom window so that it is openable with an area not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15").
 - k. Repair or replace the "Flamingo – 1" unit's kitchen window and back door so that they are capable of locking.

- I. Repair or replace the "Bungalow" unit's front door so that it is free of rotten or damaged materials, in good repair, and capable of locking.
2. The work referred to in paragraph 1 shall be completed by **September 30th, 2024**.

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 St. Albert, Alberta, August 1st, 2024.

Confirmation of a verbal order issued to Wanda Rowe and Dave Shackleton on July 19th, 2024.

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
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>

Order of an Executive Officer

RE: Those premises located in Legal, Alberta and municipally described as: 57413 Lily Lake Road, Legal, Alberta, T0G 1L0

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<https://www.ahs.ca/eph>