

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

To: Estate of William Zaparniuk (Zapernick) Darrell Zapernick
"the Owner" "the Owner"

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

RE: Those housing premises located in **Edmonton**, Alberta and municipally described as:
9113 Ottewell Road NW – NE & SE Bedrooms

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. A smoke alarm was missing outside the main floor bedrooms.
- b. Two wood studs had been screwed onto the front of the window in the main floor SE bedroom, obstructing egress in case of an emergency.
- c. The broken window in the main floor NE bedroom had been boarded up, completely blocking egress in case of an emergency.
- d. Padlocks had been installed on the outside of the bedroom doors. This posed a danger of trapping occupants inside the bedrooms.

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. A smoke alarm was missing outside the main floor bedrooms. 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.*"
- b. Two wood studs had been screwed onto the front of the window in the main floor SE bedroom, obstructing egress in case of an emergency. This is in contravention of sections 3(b) & 3(b)(i) of the Minimum Housing and Health Standards. Section 3(b) 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.” Section 3(b)(i) states: “Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).”

- c. The broken window in the main floor NE bedroom had been boarded up, completely blocking egress in case of an emergency. This is in contravention of sections 3(b) & 3(b)(i) of the Minimum Housing and Health Standards. Section 3(b) 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.”* Section 3(b)(i) states: *“Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).”*
- d. Padlocks had been installed on the outside of the bedroom doors. This posed a danger of trapping occupants inside the bedrooms. This is in contravention of section 5(2) of the Housing Regulation which states: *“No person shall cause or permit any condition in the 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.”*
- e. The broken window in the main floor NE bedroom had been boarded up rendering the bedroom with no means of ventilation. This is in contravention of sections 4(i) of the Minimum Housing and Health Standards which states: *“All rooms used for sleeping shall be provided with: (a) openable window area of 0.28m² (3.0ft²); or (b) mechanical ventilation in conformance with the requirements of the Alberta Building Code.”*
- f. A number of the window sashes were missing in the main floor SE & NE bedrooms. The panes in the remaining sashes were either cracked or broken. This is in contravention of sections 2(b)(i) and 2(b)(ii) of the Minimum Housing and Health Standards. Section 2(b)(i) states: *“All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”* Section 2(b)(ii) 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 as may be approved by the Executive Officer.”*
- g. The east wall in the main floor NE bedroom was missing insulation, vapour barrier, and drywall. This is in contravention of sections 1(c) and 5 of the Minimum Housing and Health Standards. Section 1(c) states: *“Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”* And section 5 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.”*

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 **January 1, 2026**.
2. That the Owner(s) undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install and maintain a working smoke alarm in close proximity to the bedrooms.
 - b. Remove the wood studs in front of the window in the main floor SE bedroom.
 - c. Remove the plywood boards from the window in the main floor NE bedroom.
 - d. Remove the padlocks from the bedroom doors.
 - e. Repair or replace the damaged windows in the main floor SE & NE bedrooms to provide adequate weatherproofing and ventilation.
 - f. Repair and properly insulate the east wall in the main floor NE bedroom.
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 Edmonton, Alberta, December 2, 2025

Confirmation of a verbal order issued to Darrell Zapernick on December 1, 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>.

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