

**ORDER OF AN EXECUTIVE OFFICER
CLOSED FOR TENANT ACCOMMODATION PURPOSES
ORDER TO VACATE ON OR BEFORE SEPTEMBER 24, 2026**

To: Carl McKay
"the Owner"

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

RE: Those housing premises located in Westlock, Alberta and municipally described as:
9740 109 Street

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;

By virtue of the violations noted below, the above noted premises are hereby declared to be **Closed for Tenant Accommodation Purposes**.

I hereby **ORDER** and **DIRECT**:

1. That all occupants vacate the above noted premises.
2. That the Owner ensures all Occupants vacate the above noted premises on or before September 24, 2026.
3. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure that the water damaged drywall and insulation in the basement be removed and the affected areas be cleaned, disinfected and refinished.
 - b. Ensure that continuous heating supplies such as ducted heating from a furnace or in floor heating be properly installed and maintained in the main floor master bedroom and main floor washroom.
 - c. Ensure that the basement window that opens to the backyard be replaced. Ensure that the new window be in compliance with the requirements for emergency egress. Alternatively, the entire basement area must not be used for sleeping purposes. In this case, a signed room restrictions agreement shall be provided to AHS.
 - d. Ensure that the smoke alarm installed outside of the main floor master bedroom be maintained at a good working condition at all times. A properly functioning smoke alarm must be installed at the sleeping areas in the basement if the basement is intended to be used for sleeping purposes.
 - e. Ensure that a functional lock is installed on the front door.
4. 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 and secured from unauthorized entry.

These required actions are necessary given the presence of the following conditions identified during inspection 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, namely:

- a. The above noted premises has been occupied as a rental property without completing the required repairs outlined in an outstanding Order of An Executive Officer dated February 5, 2024.
- b. The walls in the basement are damp as a result of water infiltration.
- c. Mold is observed along the drywall above the baseboards throughout the entire basement and on the concrete wall surfaces in the laundry room and furnace room.
- d. No continuous heating supplies are present in the main floor master bedroom and main floor washroom.
- e. It was reported that the basement has been occupied for sleeping purposes by the occupants. Two windows are present in the basement. All the exterior panes of the two windows cannot be opened from the inside. No mechanism can hold both the interior panes and exterior panes of the two windows in the open position. The south facing window opens under a deck which is 2 ft (0.6 m) above the ground. These two windows are deemed unacceptable for emergency egress purposes.
- f. The smoke alarm installed outside of the main floor master bedroom is not working. No smoke alarm is observed at the sleeping area in the basement.
- g. The lock on the front door is not working.

These observed public health nuisance conditions identified during inspection are violations of Public Health Act, the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards, namely:

- a. The above noted premises has been occupied as a rental property without completing the required repairs outlined in the outstanding Order of an Executive Officer dated February 5, 2024. This is in contravention of section 73 (1) of the Public Health Act, RSA 2000, which states that a person who contravenes this Act, the regulations, an order under section 62 or an order of a medical officer of health or physician under Part 3 is guilty of an offence.
- b. The walls in the basement are damp as a result of water infiltration. This is in contravention of section 1 (b) of the Minimum Housing and Health Standards, which states that basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.
- c. Mold is observed along the drywalls above the baseboards throughout the entire basement and on the concrete wall surfaces in the laundry room and furnace room. This is in contravention of section 1 (c) of the Minimum Housing and Health Standards, which states that building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- d. No continuous heating supplies are present in the main floor master bedroom and main floor washroom. This is in contravention of section 8 (a) (i) of the Minimum Housing and Health Standards, which states that 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 with the building to a temperature of at least 22°C(71°F).

- e. Windows at basement sleeping area do not meet egress requirements. This is in contravention of section 3 (b) (i) and (ii) of the Minimum Housing and Health Standards, which state that for buildings of three 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 referred to in section 3(b) (i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15").
- f. The smoke alarm installed outside of the main floor master bedroom is not working. No smoke alarm is observed at the sleeping area in the basement. This is in contravention of section 12 of the Minimum Housing and Health Standards, which state that 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. Smoke alarms shall be operational and in good repair at all times.
- g. A nonfunctional door lock is present. 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.

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 Westlock, Alberta, September 24, 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>

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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