

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

**To:** David and Carol Cruickshank  
"the Owner"

**And To:** All Occupants of the following Housing premises:

**RE:** Those housing premises located in Lethbridge, Alberta and municipally described as:  
1243 8 Avenue S.

**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 exterior northwest corner of the home had been severely damaged by fire. This included damage to the siding, soffit and part of the wooden deck.
- b. The front door frame had been damaged during a possible forced entry; the door was no longer properly securable.
- c. The front door interior trim had been damaged, exposing the insulation.
- d. The door to the laundry room was full of large holes and no longer had a doorknob.
- e. The bathroom door frame was damaged from a possible forced entry.
- f. The bathroom window was missing trim.
- g. The baseboard near the toilet was falling off; it was covered in duct tape.
- h. There was drug paraphernalia (pipes, arm bands, cooking trays, naloxone kits, etc.) scattered all over the home, the majority of which were in the basement.
- i. There was a bed set up in a room in the basement. There was also evidence to indicate that people had been sleeping in other parts of the basement. The basement had no suitable egress windows, as most of the small existing windows were boarded shut.
- j. There were numerous belongings and garbage leftover from previous occupants.

**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 exterior northwest corner of the home had been severely damaged by fire. This included damage to the siding, soffit and part of the wooden deck, which is in contravention of section III(2)(a) of the Minimum Housing and Health Standards which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- b. The front door frame had been damaged during a possible forced entry; the door was no longer properly securable, which is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- c. The front door interior trim had been damaged, exposing the insulation, which is in contravention of section III(5) of the Minimum Housing and Health Standards which states that: 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.
- d. The door to the laundry room was full of large holes and no longer had a doorknob, which is in contravention of section 3(1)(a)(iii) of the Housing Regulation which states that: an owner shall ensure that the housing premises are in good repair.
- e. The bathroom door frame was damaged from a possible forced entry, which is in contravention of section 3(1)(a)(iii) of the Housing Regulation which states that: an owner shall ensure that the housing premises are in good repair.
- f. The bathroom window was missing trim, which is in contravention of section III(5) of the Minimum Housing and Health Standards which states that: 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.
- g. The baseboard near the toilet was falling off; it was covered in duct tape, which is in contravention of section III(5) of the Minimum Housing and Health Standards which states that: 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 drug paraphernalia (pipes, arm bands, cooking trays, naloxone kits, etc.) scattered all over the home, the majority of which were in the basement, which is in contravention of section 5(2) of the Housing Regulation 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, including any condition that may hinder in any way the prevention or suppression of disease.
- i. There was a bed set up in a room in the basement. There was also evidence to indicate that people had been sleeping in other parts of the basement. The basement had no

suitable egress windows, as most of the small existing windows were boarded shut, which is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above 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”).

AND

Which is in contravention of section III(3)(b)(ii) of the Minimum Housing and Health Standards which states that: If the window referred above is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.

- j. There were numerous belongings and garbage leftover from previous occupants, which is in contravention of section 5(2) of the Housing Regulation 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, including any condition that may hinder in any way the prevention or suppression of disease.

**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 **April 25, 2024**.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Repair the fire damaged exterior finishes.
  - b. Repair the door frame and ensure the front door properly locks.
  - c. Repair the front door trim.
  - d. Replace the laundry room door.
  - e. Repair the bathroom door frame.
  - f. Repair the bathroom window trim.
  - g. Repair the baseboard in the bathroom.
  - h. Carefully remove all drug paraphernalia. Ensure proper personal protective measures are used or contract the services of a professional.
  - i. Remove all bedding from the basement.
  - j. Remove all the previous occupant’s belongings. Ensure proper personal protective measures are used or contract the services of a professional.
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 Lethbridge, Alberta, April 25, 2024  
Confirmation of a verbal order issued to David and Carol Cruickshank on April 24, 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](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 contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>**

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Lethbridge • Melcor Centre • South Zone

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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)