

PUBLIC HEALTH APPEAL BOARD

**IN THE MATTER OF THE *PUBLIC HEALTH ACT*
R.S.A. 2000 c. P-37 AND THE REGULATIONS**

**AND IN THE MATTER OF THE APPEAL OF THE ORDER OF
AN EXECUTIVE OFFICER ISSUED BY ALBERTA HEALTH
SERVICES, EDMONTON ZONE, DATED August 14, 2025**

PANEL: Kevin Kelly, Chair
Dr. Theresa A. Chika-James, Member
David Rolfe, Member
Vicki Wearmouth, Member

BETWEEN:)	
)	
)	Jeremy Hoefsloot
Mr. Marvin Boonstra)	Emery Jamieson LLP
(Appellant))	Legal Counsel for the Appellant
)	
)	
- and -)	
)	
)	Conor Fleming,
Alberta Health Services)	Alberta Health Services,
(Respondent))	Legal Counsel for the Respondent
)	
)	
)	Heard via Video/Teleconference:
)	October 17, 2025

DECISION AND REASONS FOR DECISION

Introduction

[1] An initial notice of appeal, including a preliminary application to grant a stay of order, was served on the Public Health Appeal Board (“**Board**” or “**PHAB**”) by legal counsel for Mr. Marvin Boonstra (**Appellant**) on August 20, 2025.

[2] The appeal (“**Appeal**”) was with respect to an Order of an Executive Officer – Closed for Tenant Accommodation Purposes: Order to Vacate (“**Order**”) issued by an Alberta Health Services (“**AHS**”) Executive Officer (“**EO**”) concerning the housing premises located in Edmonton, Alberta and municipally described as: 12006 65 Street, T5W 4L7 (the “**Premises**”).

Decision of the Chair Regarding Preliminary Application

[3] Pursuant to the PHAB Rules of Procedure section 3.4.4 and 3.4.5, the PHAB Chair conducted a review of the Appellant’s preliminary application for a stay of order pending hearing (3.4.1.a.).

[4] In the Notice of Appeal received August 20, 2025 (“**Notice of Appeal**”), the Appellant argued that a notice to vacate was disproportionate and unnecessary as there was no evidence of any immediate danger to the tenants. The Appellant indicated their position that the deficiencies noted in the Order were not, in fact, violations.

[5] AHS legal counsel did not object to the preliminary application.

[6] Regarding the application to grant a stay of order, the Chair considered the three-part test outlined by the Supreme Court of Canada¹ for granting a stay of a decision:

1. The applicant must demonstrate that the application raises a serious issue to be tried;
2. The applicant must demonstrate the possibility of irreparable harm occurring if a stay is refused; and
3. The applicant must demonstrate that the balance of convenience, taking into account the public interest, favours the granting of a stay, in that refusing the stay will cause more harm to the applicant than granting it will cause to the respondent (in this case, AHS).

[7] The Chair determined there was compelling evidence to grant the stay of order including:

- a) the Appellant demonstrated that his application raised a serious issue to be tried, in that he had provided the basis of an arguable appeal such that a hearing of his argument was merited;
- b) the Appellant demonstrated the possibility of irreparable harm occurring if the stay was refused, due to the tenants being left without immediate shelter or sufficient time to find alternative accommodation; and
- c) The balance of convenience favoured granting a stay, in order to afford the Appellant an opportunity to argue the issue of window egress.

[8] On August 29, 2025, the parties were notified by email of the Chair’s preliminary application decision. The notification indicated that the deadline for the occupants to vacate the Premises noted in the Order (September 14, 2025) would not apply until the Board had the opportunity to hear the Appeal and make its decision.

¹ *RJR-MacDonald Inc. v. Canada (Attorney General)*, 1994 CanLII 117 (SCC).

Decision of the Board Regarding the Appeal of the Order

[9] The Appeal was heard by a panel of the Board on October 17, 2025. On October 22, 2025, the Board issued a short-written decision to the parties, with further written reasons to follow. In the short decision, the Board indicated the Order would be varied.

[10] For the reasons that follow, the Board varies the Order.

Grounds of Appeal of Order

[11] In the Notice of Appeal, the Appellant indicated the following grounds for appeal:

- a) the window in the northeast bedroom had been previously determined to be compliant by a previous AHS EO and was improperly measured by the current EO;
- b) the window screens noted as missing in the Order, were removed by the tenants and were available and in good working order on the Premises; and,
- c) although the cladding around the northwest bedroom window and back door was not cosmetically appealing, the cladding and weatherproofing system as a whole provided protection against water and wind and thus were in compliance.

Issue

[12] The issue on the Appeal for consideration by the Board is:

- a) Should the Board confirm, reverse, or vary the Order?

Jurisdiction

[13] There were no objections to either the composition of the Board's panel or the panel's jurisdiction to hear the Appeal.

Documents/Exhibits

[14] At the hearing on October 17, 2025, the following documents were entered as exhibits by agreement of the parties:

- Exhibit A: Order of an Executive Officer – Closed for Tenant Accommodation Purposes: Order to Vacate dated August 14, 2025
- Exhibit B: Notice of Appeal received August 18, 2025
- Exhibit C: Appellant disclosure and submissions
- Exhibit D: AHS disclosure and submissions

Facts

[15] The Appellant is the owner of the Premises.

[16] The EO issued the Order pursuant to the *Public Health Act*, R.S.A. 200, c. P-37 (“**PHA**”); the *Nuisance and General Sanitation Regulation*, Alberta Regulation 243/2003; the *Housing*

Regulation, Alberta Regulation 173/99; and the Minimum Housing and Health Standards (“MHHS”). The Order set out the contraventions of the PHA, *Nuisance and General Sanitation Regulation*, *Housing Regulation* and MHHS as they pertained to the condition of the Premises.

[17] The EO observed three violations specifically:

- a) The openable area of the outswing awning type window in the NE bedroom was measured at 11.5" (vertical) x 43.5" (horizontal) = 3.47 sq. ft. Furthermore, the window was unable to remain open on its own. This does not meet emergency egress requirements. This is in contravention of Sections 3(b)(i) and 3(b)(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”, and “shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”)”.
- b) The exterior cladding around the NW bedroom window and the back door was not weatherproof. This is in contravention of Section 2(a) of the Minimum Housing and Health Standards, which states that “The exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- c) The window in the NW bedroom, NE bedroom, and living room were missing insect screens. This is in contravention of Section 2(b)(iii) of the Minimum Housing and Health Standards, which states that “During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.

[18] In the Order, the EO ordered and directed the following:

1. That the occupants vacate the Premises on or before September 14, 2025.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure the window in the NE bedroom provides an unobstructed opening with an area not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”), and ensure this window is capable of remaining fully open on its own.
 - b. Ensure the exterior cladding (including around the NW bedroom window and the back door) are maintained in a waterproof, windproof and weatherproof condition.
 - c. Ensure the NW bedroom, NE bedroom, and living room are supplied with effective screens.
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.

Submissions of the Appellant

[19] The Appellant's counsel provided the Board with their disclosure on October 9, 2025, and written submissions on October 14, 2025.

[20] The Appellant's disclosure included written statements as well as photographs of the northeast window.

[21] The Appellant's counsel provided an opening statement to clarify the issues before the Board, including:

- a) The matter of this appeal hearing is squarely on the issue of the window size;
- b) The window in question is compliant with the requirements of the Minimum Housing and Health Standards;
- c) The Executive Officer has mis-measured the window; and
- d) Whether this lack of egress, and the remaining deficiencies, continue to pose a risk of harm to public health and safety.

[22] The Appellant's counsel called the Appellant, Marvin Boonstra as a witness. His key testimony is summarized below.

[23] The window in question is located in the front of the house closest to the street or facing the street sidewalk.

[24] The Appellant first learned that AHS took issue with the window in 2018, when he received a notice from AHS Executive Officer, Ingrid Bohac. Ms. Bohac pointed out that because there was a crank hinge in the middle of the window, it did not meet egress stipulations. The hinge impeded egress out of the window.

[25] The Appellant indicated that Ms. Bohac said that she would be happy if the window had a different hinge placed on it so that the window could fully open without being impeded by the crank hinge in the middle. He further indicated that Ms. Bohac said she would accept a picture of the revised window.

[26] This was done somewhere around spring of 2019 and that was the last time the Appellant heard of any issues with the window. No further response was received from the Executive Officer, so the Appellant assumed the matter was closed.

[27] The Appellant was contacted by AHS Executive Officer Dela Cruz around September or October of 2024. EO Del La Cruz mentioned he had an old file, and he wanted to carry out an inspection of the house to make sure the issues had been taken care of.

[28] The inspection was done and the Appellant received the notice earlier this year that AHS determined the window did not meet egress standards.

[29] Photos show the window in question. Measurements of the window are 17 inches high and around 44 inches long.

[30] No special knowledge was needed to open the window.

[31] A new window and door were installed in the back of the house to improve the property and make it more efficient. Some of the parging had been removed for this installation but this is cosmetic only. There are two layers of wooden siding under the parging, and the house is wrapped in a Tyvek membrane so the lack of parging has no bearing on whether or not the house is weatherproof. At no time ever has any water got into the house through the window and the doors. The tenants themselves have replaced the parging so that has been completed.

[32] The following additional information was reported by the Appellant under questioning by AHS:

- a) No report was received from the original executive officer, Ms. Bohac, stating that she would be okay with the crank being removed and the bars in the middle of the window. It was only discussed on the phone.
- b) The Appellant indicated that he sent an e-mail to EO Bohac explaining he had complied with the Order. He also sent a picture.
- c) The Appellant indicated that he had to hold the window open in order to obtain egress as the window doesn't stay open on its own.
- d) The Appellant indicated that he just measured the window opening itself, not the unobstructed dimension. He was unsure of what the EO had measured.
- e) The Appellant indicated that the way the window worked, the bigger the window is pushed open, the bigger the top space is going to be, therefore, the smaller the bottom space will be. If you're climbing out of the window, you wouldn't open it to make it as small as possible, you would open it to make it as big as possible.
- f) The Appellant indicated that he challenged the authority of AHS to come into the rental dwelling based on a 7-year old report. The Appellant attended court when AHS filed an application to obtain an access order to inspect the dwelling.

Submissions of the Respondent

[33] AHS counsel provided the Board with their disclosure on October 6, 2025, and written submissions on October 14, 2025.

[34] AHS' disclosure included written statements, photographs of the window in question as well as photographs of the other deficiencies noted in the Order.

[35] AHS counsel provided an opening statement to clarify the issues before the Board, including:

- a) It is the position of AHS that the window in question was measured properly and in accordance with the requirements in the MHHS;
- b) The MHHS provides that the minimum unobstructed dimension of a window must be 15 inches, and for the Appellant to come to the conclusion that this standard has been met is to just ignore it;
- c) It is AHS' position that the MHHS are quite clear in terms of the requirement for windows; and,

- d) Whether this lack of egress, and the remaining deficiencies, continue to pose a risk of harm to public health and safety.

[36] AHS counsel called AHS EO Bradly Dela Cruz as a witness. His key testimony is summarized below.

[37] In an inspection report of the property in question (labelled as a rental dwelling) dated December 21, 2018, the public health inspector noted that the bedroom window in the northeast bedroom was too small for egress. Reference was made to the MHHS.

[38] Inspector Dela Cruz conducted another inspection report of the Premises on March 26, 2019. The report indicated the same violation as the previous inspection in 2018, meaning the violation had not been corrected and still existed at that time.

[39] On May 23, 2025, Inspector Dela Cruz conducted an inspection at the property in question and created a report. This report indicated that AHS had filed for a Court of King's Bench order for the owner to provide access to the property for an inspection to be carried out. The inspection was arranged with the owner, allowing ample time to coordinate the best date and time. The owner did not attend the inspection.

[40] The same violation in relation to window egress was again noted. In addition, more detail was added as the window was measured, and those measurements were included in this inspection report.

[41] The unobstructed portion of the window was measured and determined to be vertically 11.5 inches and horizontally 43.5 inches, which does not meet the requirements for proper egress in the MHHS (which state that the window must provide an unobstructed opening with an area not less than 3.8 square feet with no dimension less than 15 inches).

[42] Inspector Dela Cruz's interpretation of the provided photo is that the person measuring the window was measuring from the bottom of the window opening outwards towards the bottom of the sash in the open position. This is not the measurement AHS would use in determining emergency egress.

[43] The reports were sent to the owner, as well as e-mail correspondence containing reminders of the scheduled reinspection and follow-up inspection dates and times.

[44] A reinspection of the Premises was scheduled and carried out on June 19, 2025. The owner was not present for the inspection and had not informed the tenants of the scheduled inspection. The same violations were noted.

[45] Another inspection was attempted on July 30, 2025. This inspection had been scheduled with the owner, but the owner did not show up for the inspection. There were no tenants at the time so there was no entry for inspection. There was no sign of occupancy, so the Premises were deemed vacant at the time of inspection.

[46] All items required in previous reports could be observed from the exterior without entering the Premises. It did not appear that any modification had been made to the northeast window, nor had other remaining violations noted in the report been addressed.

[47] Another inspection was conducted on August 12, 2025. At this time, the Premises were occupied. A new tenant who had signed a lease with the owner allowed entry for inspection. No corrections had been made to the previously noted violations.

[48] The following additional information was provided by Inspector Dela Cruz under questioning by the Appellant's counsel:

- a) ...If an obstruction in the middle of the window led to the egress being less than 15 inches, that would be enough for the window to fail the minimum opening requirements. There are multiple reasons why a window could be too small. Inspector Dela Cruz was not with AHS during the first inspection of the Premises in 2018, so he does not know why it was determined that the window was too small during the first inspection on December 21, 2018.
- b) ...AHS were trained to measure the window according to procedure. He was not following specific guidance for measuring based on the MHHS; the guidance was in AHS procedure. The window would be measured by measuring the openable area that is not obstructed. The centre knob of the window had been removed so the window cannot be held open. The window was measured while the window was fully opened. He did not measure the exact angle. The window was measured from the widest extent that it would open, in order to offer the largest measurement area. The sash for this window swings down and decreases the window opening.
- c) ...He included window measurements in his report that he prepared with management, even though he was not able to enter the Premises on July 30, 2025.

[49] The following additional information was provided by Inspector Dela Cruz under follow-up questioning by AHS legal counsel and questioning by the PHAB panel.

- a) ...Inspector Dela Cruz clarified that he did gain access and measured the window on July 30 and August 12, 2025.
- b) ... The Panel questioned if the structure of the window was in contravention of the standards or if the issue was specifically with the window opening. The structure of the window was confirmed not to be in contravention.
- c) ...If a proper window was installed, could egress requirements be met without changing the structure of the window? The EO confirmed that yes, no major reconstruction would be necessary if a proper window was installed.

Closing Statements

[54] The Appellant's counsel argued that the Order should be varied or reversed, because the window itself is compliant with the governing regulations. The principal purpose of the relevant portion of the MHHS is to address the area for egress made available by the opening. The Board must take a purposive approach in determining what is reasonable for egress. The Appellant's counsel argued that when the window is opened, it must be determined whether there is enough

room to reasonably allow any person to exit in case of emergency. There is no specific method outlined in the MHHS regarding how to measure the opening of an awning type window.

The Appellant’s counsel further argued that the window was in compliance once the Appellant removed the crack shaft, and that should have been enough to meet egress requirements. Indeed, the Appellant reasonably believed for approximately seven years that he was in compliance. AHS should have followed up sooner if the window egress actually created a risky situation. However, it does not, as the window does meet the required unobstructed area of egress. A person crawls out of the window at a diagonal angle and does not “fly out like superman”.

The Appellant’s counsel further argued that if the Board is satisfied that the window is compliant, then all other issues have been addressed. If the Board disagrees with the window opening, the Appellant requests time to replace the window and not evict the tenants.

[55] In response, counsel for AHS argued that although the depth of the window opening exceeds the 15” requirement, the Appellant did not measure the vertical height of the window. The MHHS indicates that all measurements need to meet the 15” requirement. Counsel for AHS indicated that AHS is happy to work with the Appellant to determine appropriate timelines to make the window compliant, depending on whether the Board upholds or varies the Order.

[56] The Appellant’s counsel agreed with AHS counsel that no dimension should be less than 15”. However, they argued that regulatory compliance only requires one two-dimensional space that a person can exit through. They also contended that here is more than one way a person can exit a window unobstructed, and that one plane of egress meets the MHHS requirements.

Analysis and Reasons

Standard of Review

[50] In order to decide the Appeal, the Board must first determine the standard of review that it must apply to its assessment of the Order. This engages a review of the applicable legislative scheme, in particular, the following sections of the PHA:

5(3) A person who

(a) is directly affected by a decision of a regional health authority, and

(b) feels himself or herself aggrieved by the decision may appeal the decision to the Board.

5(1) In this section, “decision of a regional health authority” means

(a) an order issued under section 62, and

(b) a decision to issue or to cancel, suspend or refuse to issue a licence, permit or other approval provided for in the regulations, and any other decision in respect of which an appeal to the Board is permitted under the regulations,

whether any of those decisions is made by the regional health authority itself or one of its employees or agents.

9 *A regional health authority shall appoint one or more persons as medical officers of health and one or more persons as executive officers for the regional health authority for the purpose of carrying out this Act and the regulations.*

62(1) *An executive officer may issue a written order in accordance with this section if the executive officer has reasonable and probable grounds to believe, based on*

- (a) an inspection of a public place under section 59 or a private place under section 60, or*
- (b) a report or test, regardless of whether the report or test is required to be produced or performed under this Act, if a public place or private place was not inspected under section 59 or 60,*

that a nuisance exists in or on the public place or private place, or that the place or owner of the place or any other person is in contravention of this Act or the regulations.

5(11) *The Board may confirm, reverse or vary the decision of the regional health authority and shall give written notice of its decision to the appellant and the regional health authority.*

[55] Alberta Courts have provided administrative decision-makers with guidance in making their decisions, which can be summarized as follows. In *Moffat v Edmonton (City) Police Service*², the Alberta Court of Appeal reviewed the relevant caselaw and held that “internal administrative appeals are of multiple types and therefore do not admit to one single approach to standard of review”.³ In *Yee v Chartered Professional Accountants of Alberta*⁴, the Alberta Court of Appeal held that “[t]he appeal tribunal should ... remain flexible and review the decision under appeal holistically, without a rigid focus on any abstract standard of review”.⁵ In *Newton v Criminal Trial Lawyers’ Association*⁶, the Alberta Court of Appeal identified several factors to guide the determination of the appropriate standard of review for an appellate administrative tribunal. These include: the respective roles of the first-instance and appellate tribunals under the enabling legislation; the nature of the issue; the overall statutory scheme; the expertise and position of the first-instance tribunal relative to the appellate body; and considerations of efficiency, including the need to limit the number, length, and cost of appeals, and to preserve the economy and integrity of the original proceedings.⁷

[51] After thorough consideration of judicial guidance provided, and reading the relevant sections of the PHA harmoniously with the intention of the legislature, the Panel is satisfied that the appropriate standard of review to be applied in this Appeal has been articulated in section

² *Moffat v Edmonton (City) Police Service*, 2021 ABCA 183 [*Moffat*].

³ *Ibid* at para 55.

⁴ *Yee v Chartered Professional Accountants of Alberta*, 2020 ABCA 98.

⁵ *Ibid* at para 35.

⁶ *Newton v Criminal Trial Lawyers’ Association*, 2010 ABCA 399 [*Newton*].

⁷ *Ibid* at para 43.

62(1) of the PHA. This standard is: whether there are reasonable and probable grounds to believe either that a nuisance exists on the property or that there is a contravention of the PHA, or the regulations and standards based on an inspection or a report or test, such that the order under appeal is warranted.

[52] In *Canada (Minister of Citizenship and Immigration) v Vavilov*⁸, the Supreme Court of Canada provided instruction on the application of the reasonableness standard of review. The focus of a reasonableness review is on the reasons. A decision will be reasonable if it is both internally consistent and justified in light of the legal and factual constraints that bear on the decision.⁹

[53] Unlike the judicial review approach established in *Vavilov*, the standard of review adopted by the Board represents a hybrid procedure. This approach involves reviewing all the relevant records supplemented with *viva voce* (live witness oral) evidence, while also allowing portions of the hearing to be conducted on the documentary record. As the Board is not a court, it is not bound by the strict rules of evidence applicable to courts. However, the Board's authority is limited to confirming, reversing, or varying an order of an AHS EO, without extending beyond these options as provided in the PHA.

[54] In conclusion, by adopting this hybrid standard of review, the Board can effectively balance the need for procedural flexibility and thoroughness with respect for the specialized expertise and initial findings of AHS EOs. This approach ensures that the appeal process remains efficient and cost-effective, while preserving the integrity of the original proceedings and allowing the Board to make well-informed decisions that uphold public health standards consistent with the objectives of the PHA.

Findings and Conclusion

[55] After reviewing the parties' disclosure, submissions, evidence and arguments, the Board has determined the Order issued by AHS on August 14, 2025, shall be varied as follows:

- 1) The first direction on page 2 of the Order is rescinded.
- 2) The second direction on page 2 of the Order is confirmed as written:
 2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a) Ensure the window in the NE bedroom provides an unobstructed opening with an area not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15"), and ensure this window is capable of remaining fully open on its own.
 - b) Ensure the exterior cladding (including around the NW bedroom window and the back door) are maintained in a waterproof, windproof and weatherproof condition.
 - c) Ensure the NW bedroom, NE bedroom, and living room are supplied with effective screens.

⁸ *Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65.

⁹ *Vavilov*, at paras 99-101.

3) The third direction on page 2 of the Order is hereby varied to read as follows:

3. If the work required in the second direction of the Order is not completed to the satisfaction of an Executive Officer of Alberta Health Services on or before 6:00 pm February 28, 2026, the occupants (tenants) must vacate the Premises by March 15, 2026, and the Premises must remain closed for tenant occupation until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services.

Reasons for the Board's Decision

[56] With regard to the first direction in the Order, the Board previously notified the parties that the September 14, 2025 deadline for the occupants to vacate the Premises noted in the Order would not apply until the Board heard the Appeal and made its decision.

[57] Regarding the second direction in the Order, the Board finds that AHS' determination that the window in the northeast bedroom does not meet egress requirements was reasonable. Every bedroom must contain a secondary means of escape in the event of a fire, unless the room is sprinklered or there is direct access to the outside by means of an opening door. This secondary means of escape must be an easily opened window of suitable, unobstructed size. The window that is the subject of this appeal does not meet this requirement, as the style creates an obstruction to the opening dimension when it is swung open. Additionally, the window has no means of remaining open on its own.

[58] Regarding the third direction in the Order, the Board finds that AHS acted reasonably in determining that the northeast bedroom window did not meet egress requirements. Section 62(1) of the PHA authorizes an EO to issue a written order if the EO has reasonable and probable grounds to believe that a nuisance exists in or on a private place, or that the place or owner of the place or any other person is in contravention of this Act or the regulations. The Board is satisfied that AHS has successfully proven on a balance of probabilities that the window did not meet egress requirements and contravened the Act or the regulations. The Appellant did not provide compelling evidence that the window did not meet egress requirements. For the reasons given above, the Order is varied as follows:

[59] The first direction on page 2 of the Order is rescinded.

The second direction on page 2 of the Order is confirmed as written:

2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a) Ensure the window in the NE bedroom provides an unobstructed opening with an area not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15"), and

- ensure this window is capable of remaining fully open on its own.
- b) Ensure the exterior cladding (including around the NW bedroom window and the back door) are maintained in a waterproof, windproof and weatherproof condition.
 - c) Ensure the NW bedroom, NE bedroom, and living room are supplied with effective screens.

The third direction on page 2 of the Order is hereby varied to read as follows:

3. If the work required in the second direction of the Order is not completed to the satisfaction of an Executive Officer of Alberta Health Services on or before 6:00 pm February 28, 2026, the occupants (tenants) must vacate the Premises by March 15, 2026, and the Premises must remain closed for tenant occupation until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services.

original signed

Kevin Kelly, Chair

On behalf of the Hearing Panel of the
Public Health Appeal Board

Date: February 19, 2026