

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

To: Kenny Yee
Harold Yee
Lois Andersen
Sharon Sisson
“the Owner”

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

RE: Those housing premises located in Red Deer, Alberta and municipally described as:
4917 53 Street, Unit 2

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 smoke alarms on the upper and lower levels do not work.
- b. There is no handrail on the stairway leading to the upper level.
- c. The upstairs furnace is not vented to the exterior.
- d. The lower floor furnace is not in proper working order.
- e. The openable area of the window in the upper level southwest bedroom measures 19 inches by 23 inches.
- f. The openable area of the window in the upper level northwest bedroom measures 18 inches by 21 inches.
- g. The ceiling light fixture in the lower level living room is in disrepair.

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 smoke alarms on the upper floor and lower levels do not work. Contrary to Section 12(a) of the Minimum Housing and Health Standards that states: “Smoke alarms shall be operational and in good repair at all times.”
- b. There is no handrail on the stairway leading to the upper level. Contrary to Section 3(c)(i) of the Minimum Housing and Health Standards that states: “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.”
- c. The upper floor furnace is not vented to the exterior. Contrary to Section 8(a) of the Minimum Housing and Health Standards that states: “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 within the building to a temperature of; (i) at least 22°C (71°F).”
- d. The lower floor furnace is not in proper working order. Contrary to Section 8(a) of the Minimum Housing and Health Standards that states: “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 within the building to a temperature of; (i) at least 22°C (71°F).”
 - e. There is water damage to the ceiling in the upper floor southwest bedroom. Contrary to Section 5 of the Minimum Housing and Health Standards that states: “All walls, windows, ceilings, 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.”
 - f. There are high moisture meter readings on the ceiling and all walls in the upper floor southwest bedroom. Contrary to Section 1(c) of the Minimum Housing and Health Standards that states: “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
 - g. There are high moisture meter readings on the west wall in the upper floor bathroom. Contrary to Section 1(c) of the Minimum Housing and Health Standards that states: “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
 - h. The upper floor bathroom window is single paned. Contrary to Section 2(b)(ii) of the Minimum Housing and Health Standards that 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.”
 - i. The kitchen window is broken. Contrary to Section 2(b) of the Minimum Housing and Health Standards that states: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
 - j. The front entrance door is not weatherproof. Contrary to Section 2(b) of the Minimum Housing and Health Standards that states: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
 - k. The ceiling light fixture in the lower level living room is in disrepair. Contrary to Section 11 of the Minimum Housing and Health Standards that states: “Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”
 - l. The openable area of the window in the upper level southwest bedroom measures 19 inches by 23 inches. Contrary to Section 3(b)(i)(ii) that states: “(i) 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. (ii) Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8 ft²), with no dimension less than 380 mm (15”).”
 - m. The openable area of the window in the upper level northwest bedroom measures 18 inches by 21 inches. Contrary to Section 3(b)(i)(ii) that states: “(i) 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. (ii) Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8 ft²), with no dimension less than 380 mm (15”).”

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 February 1, 2017.
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 that smoke alarms are in proper working order at all times.
 - b. Install a handrail on the stairway leading to the upper level.
 - c. Ensure that the upper level furnace is properly vented and in good working condition.
 - d. Ensure that the lower level furnace is in good working condition.
 - e. Ensure that there is a window in each bedroom that has an openable area of at least 0.35 m² (3.8 ft²), with no dimension less than 380 mm (15").
 - f. Identify the cause of the high moisture meter readings in the upper level and make the necessary repairs.
 - g. Repair/remove all water damaged materials.
 - h. Ensure that the upper level bathroom window has a storm sash or is double glazed.
 - i. Repair kitchen window.
 - j. Ensure that the front entrance door is weatherproof.
 - k. Ensure that the ceiling light fixture in the lower level living room is in good working condition.
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 Red Deer, Alberta, January 26, 2017

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, Telus Plaza North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <http://www.health.alberta.ca/about/PHAB.html>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: www.health.alberta.ca/about/health-legislation.html

Template revised December 13, 2016

Copy: City of Red Deer Inspections