

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

**To:** Albert Gohmann and Karen Gohmann  
“the owner”

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

**RE:** 6516 35 Avenue NW – Basement, Common Area.

**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 the prevention or suppression of disease, namely:

**Basement:**

- a. The openable area of the bedroom window is too small to meet egress requirements.
- b. The smoke alarm is hanging from its electrical wires. It is located in the middle of the kitchen and not in the bedroom area.
- c. The heat in the basement is low: 18°C.
- d. Electrical outlet and switch covers are missing throughout.
- e. There is mould growth on the tub surround where the tiles have fallen off. The exposed insulation and wood framing is saturated with water..
- f. There are mouse droppings in the kitchen ceiling plastic insulation cover.
- g. The outer pane of the kitchen window is broken. .
- h. The frame of the interior door is broken. The lock is ineffective.
- i. The kitchen ceiling panels are missing. The plastic insulation cover and wiring is visible.
- j. The bathroom light fixture is pulling away from the ceiling.
- k. The bathroom ceiling vent above the bathtub is uncovered.
- l. There is a hole in the top kitchen cupboard door.

**Common:**

- a. The back exterior door has no door knob, leaving an empty hole just below the deadbolt
- b. Electrical outlets and switches have no covers.
- c. There are two holes in the ceiling above the basement electrical panel with wires protruding.
- d. There is no handrail along the basement staircase.
- e. The window on the landing between the upstairs and downstairs staircases is cracked across the pane. It's being held together with tape.
- f. There are gaps in the exterior siding on the back of the house between the door frame and the outside light.

**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:

**Basement:**

- a. The openable area of the bedroom window is too small to meet egress requirements. This contravenes section III(3)(b) of the Minimum Housing and Health Standards which states that: 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. And 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").
- b. The smoke alarm is hanging from its electrical wires. It is located in the middle of the kitchen and not in the bedroom area. This contravenes section IV(12) of the Minimum Housing and Health Standards which states 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.
- c. The heat in the basement is low 18°C. This contravenes section IV(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 within the building to a temperature of at least 22°C(710F), or maintained at a temperature of at least 22°C(710F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- d. Electrical outlet and switch covers are missing throughout. This contravenes section IV(11) of the Minimum Housing and Health Standards which states that: 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.
- e. There is mould growth on the tub surround where the tiles have fallen off. The exposed insulation and wood framing is saturated with water. This contravenes section 5(2) of the Housing Regulation, 2001 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.
- f. There are mouse droppings in the kitchen ceiling plastic insulation cover. This contravenes section V(16)(a) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.

- g. The outer pane of the kitchen window is broken. This contravenes section III(2)(b)(i) of the Minimum Housing and Health Standards which states that: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- h. The frame of the interior door is broken. The lock is ineffective. This contravenes section III(2)(b)(i) of the Minimum Housing and Health Standards which states that: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- i. The kitchen ceiling panels are missing. The plastic insulation cover and wiring is visible. This contravenes 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.
- j. The bathroom light fixture is pulling away from the ceiling. This contravenes section IV(11) of the Minimum Housing and Health Standards which states that: 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.
- k. The bathroom ceiling vent above the bathtub is uncovered. This contravenes 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.
- l. There is a hole in the top kitchen cupboard door. This contravenes 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.

**Common:**

- a. The back exterior door has no door knob, leaving an empty hole just below the deadbolt. This contravenes section III(2)(b)(i) of the Minimum Housing and Health Standards which states that: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- b. Electrical outlets and switches have no covers. This contravenes section IV(11) of the Minimum Housing and Health Standards which states that: 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.
- c. There are two holes in the ceiling above the basement electrical panel with wires protruding. This contravenes 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. There is no handrail along the basement staircase. This contravenes section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.
- e. The window on the landing between the upstairs and downstairs staircases is cracked across the pane. It's being held together with tape. This contravenes section III(2)(b)(i) of the Minimum Housing and Health Standards which states that: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- f. There are gaps in the exterior siding on the back of the house between the door frame and the outside light. This contravenes section III(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.

**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 **May 9, 2014**.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:

**Basement:**

- a. Modify the existing bedroom window or install a new bedroom window that has an openable area of at least 3.8 square feet.
- b. Properly install the smoke alarm in the bedroom area.
- c. Ensure the temperature is maintained at no less than 22°C.
- d. Install covers on all electrical outlets and switches.
- e. Remove all water damaged and mould contaminated materials along the bathtub surround. Clean and disinfect affected areas. Allow time to dry before reconstructing with new materials.
- f. Eliminate rodent activity in the house. Seal all possible entry points. Remove mouse droppings and ceiling materials contaminated by mouse droppings. Clean and disinfect hard surfaces with a bleach solution (1 part bleach in 9 parts water).
- g. Replace the outer pane of the kitchen window.
- h. Repair the interior door frame and ensure the lock is effective.
- i. Replace the missing kitchen ceiling panels or install a new ceiling.
- j. Properly mount the bathroom light fixture to the ceiling.
- k. Install a cover on the bathroom ceiling vent above the bathtub.
- l. Repair or replace the kitchen cupboard door.

**Common:**

- a. Install a door knob on the back exterior door.
- b. Install covers on all electrical outlets and switches.

- c. Properly contain protruding wires above the electrical panel and repair the holes in the ceiling.
- d. Install a handrail along the basement staircase.
- e. Replace the cracked window between the basement staircases.
- f. Repair the gaps in the exterior siding of the house.

- 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.
- 4. The referred to in paragraph 2 shall be completed by **June 9, 2014**.

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 Calgary Alberta, April 8, 2014.

Confirmation of a verbal order issued to Albert Gohmann on April 7, 2014.

Patricia Vernon, Bsc, EPH, CPHI(C)  
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 within ten (10) days after receiving the order to the Public Health Appeal Board located at Reception, Main Floor, Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813    Fax 780-422-0914.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or the Public Health Appeal Board 780-427-2813.

You are advised that all orders remain in effect pending such an appeal

**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](http://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](http://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.htm](http://www.health.alberta.ca/about/health-legislation.htm)**

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**OKOTOKS Health and Wellness Centre**  
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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)