

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

To: D & D Yale Hotel Ltd.
Box 640
Trochu, Alberta T0M 2C0

Mary Newton

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

RE: The housing premises located in Trochu, Alberta and municipally described as:
Rooms 15 – 20 and common areas on the top floor
211 Main Street
Trochu, AB
T0M 2C0

WHEREAS I, an Executive Officer of Alberta Health Services, have inspected the above 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:

- a. **The ceiling and walls was extensively water damaged in multiple areas of the facility.**
- b. **The windows in room 15 north east and 15 north west opened to an area of 13 by 29 inches.**
- c. **No functional smoke alarms were observed in any of the rooms or the common areas**

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 ceiling and walls are extensively damaged and show evidence of rot in multiple areas of the premises. This is a contravention of Section 1 (c) of the Minimum Housing and Health Standards which states "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced".
- b. The roof and the walls were not maintained in a waterproof condition. This is a contravention of Section 2 (a) of the Minimum Housing and Health Standards which states "The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition".

- c. The windows in room 15 north-east and 15 north-west open to an area of 13 by 29 inches. This is a contravention of Section 3 (b) of the Minimum Housing and Health Standards which states (i) "For buildings of 3 stories or less and except when 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 M^2 (3.8 ft^2), with no dimension less than 380 mm (15")".
- d. No functional smoke alarms were observed in any of the rooms or the common areas. This is a contravention of Section 12 (a) of the Minimum Housing and Health Standards which states "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" (a) "Smoke alarms shall be operational and in good repair at all times".
- e. The refrigerator in room 16 and the refrigerator communal kitchen were observed to be not capable of maintaining a temperature of 4 degrees C. This is a contravention of Section 14 (a) (iv) of the Minimum Housing and Health Standards which states that "Every housing premises shall be provided with a food preparation area which includes" (iv) "a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. (40°F)".
- f. The toilet, the handwashing sink and the bathtub all located in the large communal bathroom/laundry room was not in proper operating condition. This is a contravention of Section 6 (a) and (c) of the Minimum Housing and Health Standards which states "The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition" (c) " All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside".
- g. The hand washing sinks in units 18 and 16 are not in proper operating condition. This is a contravention of Section 6 (a) and (c) of the Minimum Housing and Health Standards which states that "The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition" (c) " All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside".
- h. The sink in the communal kitchen was not in proper operating condition. This is a contravention of Section 6 (a) and (c) of the Minimum Housing and Health Standards which states that "The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition" (c) " All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside".

- i. The small communal bathroom/laundry room was observed to have a shower that was not in proper operating condition. This is a contravention of Section 6 (a) and (c) of the Minimum Housing and Health Standards which states that "The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition" (c) " All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside".
- j. The door to the roof did not have a functional lock and was not capable of being secured. This is a 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".
- k. The small communal bathroom/laundry room did not have a natural or mechanical ventilation system. This is a contravention of Section 7 (c) of the Minimum Housing and Health Standards which states that "All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation".
- l. The light switch cover in room 15 north-west was missing and a lighting fixture in the hallway was not in working condition. This is a contravention of Section 11 of the Minimum Housing and Health Standards which states that "Every housing premises shall be provided with electrical service. Outlets switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition".
- m. Windows were not equipped with effective screens. This is a 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" .
- n. The ceilings and walls throughout the facility are in disrepair and are not easy to clean. This is a contravention of Section 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".

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 August 1, 2013
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remove and replace all damaged building materials with building materials that are in good condition.
 - b. Repair the components of the building envelope so that it is in a waterproof, windproof and weatherproof condition.

- c. Ensure that all sleeping rooms are supplied with windows that open to an unobstructed area of 0.35 M² (3.8 ft²) or more, with no dimension less than 380 mm (15")
 - d. Ensure that functional smoke alarms are installed in the hallways between each sleeping area.
 - e. Ensure that all refrigerators are capable of maintaining a temperature 4 degrees C.
 - f. Repair the plumbing and drainage system so that it is a proper operating condition.
 - g. Ensure that all exterior windows and doors are equipped with functional locks.
 - h. Ensure that all rooms containing a flush toilet and/or bathtub or shower are provided with natural or mechanical ventilation.
 - i. Ensure that all aspects of the electrical service are properly installed and maintained in a good and safe working condition and in compliance with applicable safety code requirements.
 - j. Install effective screens in all openable windows.
 - k. Ensure that all walls, windows, ceilings, floors and floor coverings are repaired so that they are in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
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 Olds, Alberta, July 12, 2013

Confirmation of an oral order issued to Mary Newton, on July 9, 2013.

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: 780-427-2813
Fax: 780-422-0914
Email: health.appealboard@gov.ab.ca

A Notice of Appeal form may be obtained by contracting 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 & Wellness at (780) 427-4518, or by visiting: www.health.alberta.ca/about/health-legislation.html

Copy D & D Yale Hotel Ltd.

Olds • Community Health Centre • Environmental Public Health

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www.albertahealthservices.ca