

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

To: Robert Andrew Rose
“the Owner”

And To: All Occupant(s) of the following Housing premises: 129 Silvertip Ridge, Canmore, AB

RE: Those housing premises located in Canmore, Alberta and municipally described as: 129 Silvertip Ridge

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. Water has been shut off to the house.
- b. The window in the upstairs east bedroom (located to the left of the stairs when coming up the stairs) does not have at least 3.8 square feet of openable area for emergency egress.
- c. Baseboard behind the toilet in the basement bathroom has mold growth and is water-damaged.
- d. The left-side (east) door to the outside deck from the living room has no functioning lock.
- e. Window on left (east window) in basement bedroom (facing the backyard) won't close completely and therefore can't be locked.
- f. Some of the railing guards are missing and/or damaged on both the upstairs and main floor outside decks.
- g. The smoke alarm on the main floor by the stairs only emitted a very faint noise when tested.
- h. There are holes in the walls behind some of the doors and missing drywall that was cut out of the wall in foyer, on stair landing going upstairs and from ceiling in basement bedroom that faces the backyard.
- i. The taps for the laundry room sink and basement “bar” area sinks are not functional.
- j. The showerhead for the shower in the basement bathroom is missing.
- k. There is a light dangling from its fixture in the front foyer and other ceiling fixtures with electrical cords but no lights attached.
- l. There are some missing doors and missing drawers on the cupboards in the kitchen.
- m. There is a damaged floor tile in the area between the living room and kitchen.
- n. Carpet in the living room is dirty.
- o. There is a large hole in the door from the hallway into the upstairs bathroom.
- p. There is an area at the back off the house that has been closed off with a piece of plywood.

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. Water has been shut off to the house. This is in contravention of Section 3(1)(b)(iii) of the Housing Regulation, Alberta Regulation 173/99 which states “an owner shall ensure that the occupants of the housing premises are supplied with adequate running hot and cold water that is safe for human consumption.”
- b. The window in the upstairs east bedroom (located to the left of the stairs when coming up the stairs) does not have at least 3.8 square feet of openable area for emergency egress. This is in contravention of Section 3(b)(i)(ii) of the Alberta Minimum Housing and Health Standards which states “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. Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).”
- c. Baseboard behind the toilet in the basement bathroom has mold growth and is water-damaged. This is in contravention of Section 5(2) of the Housing Regulation, Alberta Regulation 173/99 which states “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 of Section 1(c) of the Alberta 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.”
- d. The left-side door to the outside deck from the living room has no functioning lock. This is in contravention of Section 3(a) of the Alberta Minimum Housing and Health Standards which states “Exterior windows and doors shall be capable of being secured.”
- e. Window on left (east window) in basement bedroom (facing the backyard) won’t close completely and therefore can’t be locked. This is in contravention of Section 3(a) of the Alberta Minimum Housing and Health Standards which states “Exterior windows and doors shall be capable of being secured.”
- f. Some of the railing guards are missing and/or damaged on both the upstairs and main floor outside decks. This is in contravention of Section 3(c)(i) of the Alberta Minimum Housing and Health Standards which 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.”
- g. The smoke alarm on the main floor by the stairs only emitted a very faint noise when tested. This is in contravention of Section 12(a) of the Alberta Minimum Housing and Health Standards which states “Smoke alarms shall be operational and in good repair at all times.”
- h. There are holes in the walls behind some of the doors and missing drywall that was cut out of the wall in foyer, on stair landing going upstairs and from ceiling in basement bedroom that faces the backyard. This is in contravention of Section 5 of the Alberta Minimum Housing and Health Standards which states “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.”

- i. The taps for the laundry room sink and basement “bar” area sinks are not functional. This is in contravention of Section 6(c) of the Alberta Minimum Housing and Health Standards which states “All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
- j. The showerhead for the shower in the basement bathroom is missing. This is in contravention of Section 6(c) of the Alberta Minimum Housing and Health Standards which states “All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
- k. There is a light dangling from its fixture in the front foyer and other ceiling fixtures with electrical cords but no lights attached. This is in contravention of Section 11 of the Alberta Minimum Housing and Health Standards which 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. There are some missing doors and missing drawers on the cupboards in the kitchen. This is in contravention of Section 14(a)(ii) of the Alberta Minimum Housing and Health Standards which states “Every housing premises shall be provided with a food preparation area, which includes cupboards or other facilities suitable for the storage of food.”
- m. There is a damaged floor tile in the area between the living room and kitchen. This is in contravention of Section 5 of the Alberta Minimum Housing and Health Standards which states “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.”
- n. Carpet in the living room is dirty. This is in contravention of Section 16 of the Alberta Minimum Housing and Health Standards which states “The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition.”
- o. There is a large hole in the door from the hallway into the upstairs bathroom. This is in contravention of Section 1(c) of the Alberta 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.”
- p. There is an area at the back off the house that has been closed off with a piece of plywood. This is in contravention of Section 2(a) of the Alberta Minimum Housing and Health Standards which states “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”

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 immediately.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Have water service restored to the house so there is running water at all plumbing fixtures in the house.

- b. Install a new window or modify an existing window in the upstairs east bedroom (to the left of the stairs when coming up the stairs) so that it meets the Alberta Minimum Housing and Health Standards.
 - c. Remove all moldy and/or water damaged absorbent material in the basement bathroom and refinish the area with new materials.
 - d. Ensure there are no active leaks from plumbing fixtures or water and wastewater piping.
 - e. Install a functional lock on the left-side (east) door that leads to the outside from the living room.
 - f. Fix the window on left (east window) in the basement bedroom (facing the backyard) so that it closes and locks.
 - g. Replace the missing and damaged railing guards on both the upstairs and main floor outside decks.
 - h. Ensure all smoke alarms in the house are in proper working condition.
 - i. Repair the holes in the walls and ceilings so that they are in good repair and easy to clean.
 - j. Repair/replace the taps for the laundry room and basement “bar” area sinks.
 - k. Replace the showerhead in the basement bathroom.
 - l. Ensure lights are properly secured in their fixtures. Install missing lights or ensure no live wiring from the fixtures with the missing lights.
 - m. Re-install missing cupboard drawers and doors in the kitchen.
 - n. Repair/replace the damaged floor tile.
 - o. Clean the carpet in the living room.
 - p. Replace the damaged bathroom door with one that is in good condition.
 - q. Repair the damaged portion of the exterior of the house so that it is waterproof.
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 Canmore, Alberta, October 18, 2023

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 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
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 visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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Cc: Alberta Sheriffs - Safer Communities and Neighborhoods

Calgary • Southport • Environmental Public Health

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<https://www.ahs.ca/eph>