

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

To: 1885807 Alberta Ltd.
"the Owner"

Marc Schulz
"the Owner"

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

RE:

Those housing premises located in Rocky View County, Alberta and municipally described as:

242089 Range Road 32
Rocky View County, Alberta

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 home was not equipped with a functional furnace; portable electrical space heaters were the primary source for heating.
- b. The electrical system and panel did not appear to be in good condition.
- c. Electrical switches and outlets were missing covers or were not properly attached to the wall throughout the house.
- d. Some of the light fixtures in the bedroom, living area and entry way were missing, and not in good working condition, also exposed wires in the house.
- e. Flooring, walls, door frames, and the ceilings in the home have cracks, holes and gaps and are unfinished and not in good repair.
- f. There were no kitchen facilities available. There was no working stove, no kitchen sink or faucets and kitchen cupboards were not installed.
- g. There is a handrail missing on the stairwell leading to the basement.
- h. There was no smoke alarm near the bedroom on the main floor and smoke alarm at the entrance was not operational.

- i. Access to a flush toilet, wash basins, or any form of bathing facilities was blocked by accumulated debris and garbage bags stacked to the ceiling.
- j. No plumbed fixtures available to access running water for drinking, bathing, or cooking purposes. Tenant was collecting the water from the pressure tank directly located in the basement area.
- k. Potability of water system could not be verified.
- l. There was no hot water supply to the home.
- m. The window space beside the entry door was left unfinished, missing window casing and window. Open space was covered with plastic tarping and exterior siding material. Foundation materials were exposed.
- n. The window in the bedroom used for sleeping was not able to be opened and not accessible. It was obstructed from the inside and outside.
- o. Exterior door dead bolt was missing.
- p. The living area was extremely cluttered with garbage bags, waste building material, personal belongings, shelves, and cardboard boxes.
- q. Front deck has loose, damaged boards, and the wood is deteriorating/rotting, and sinking towards to house.

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 and the Nuisance and General Sanitation Regulation, Alberta Regulation 243/2003 exist in and about the above noted premises, namely:

- a. The home was not equipped with a functional furnace; portable electrical space heaters were the primary source for heating. This is in contravention of the Minimum Housing and Health Standards section 8(a) 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; (i) at least 22°C(71°F).
- b. The electrical system and panel did not appear to be in good condition. This is a contravention of section 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. Electrical switches and outlets were missing covers or were not properly attached to the wall throughout the house. This is a contravention of section 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.
- d. Some of the light fixtures in the bedroom, living area and entry way were missing, and not in good working condition, also exposed wires in the house. This is a contravention of section 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. Flooring, walls, door frames, and the ceilings in the home have cracks, holes and gaps and are unfinished and not in good repair. This is in contravention of the Minimum Housing and Health Standards section 5(a, b) 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; and rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower; and rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
- f. There were no kitchen facilities available. There was no working stove, no kitchen sink or faucets and kitchen cupboards were not installed. This is in contravention of the Minimum Housing and Health Standards section 14(a) which states every housing premises shall be provided with a food preparation area, which includes: a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation; and cupboards or other facilities suitable for the storage of food; and a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and a stove and a refrigerator that are maintained.
- g. There is a handrail missing on the stairwell leading to the basement. This is in contravention of section 3(c)(i) of the 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."
- h. There was no smoke alarm near the bedroom on the main floor and smoke alarm at the entrance was not operational. This is in contravention of the Minimum Housing and Health Standards section 12 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 always operational and in good repair
- i. Access to a flush toilet, wash basins, or any form of bathing facilities was blocked by accumulated debris and garbage bags stacked to the ceiling. This is in contravention of section 7 of the Minimum Housing and Health Standards which states that "Every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower that shall be serviceable, free from leaks, trapped and vented to the outside".
- j. No plumbed fixtures available to access running water for drinking, bathing, or cooking purposes. Tenant was collecting the water from the pressure tank directly located in the basement area. This is in contravention of section 9 of the Minimum Housing and Health Standards which states that: Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.
- k. Potability of water system could not be verified. This is in contravention of section 9 of the Minimum Housing and Health Standards which states that: Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.
- l. There was no hot water supply to the home. This is in contravention of the Minimum Housing and Health Standards section 9 (a) which states every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants; and all hot running water shall be maintained at a temperature of not less than 46 degrees C (114F), and not more than 60 degrees C (140F) measured at the plumbing fixture.

- m. The window space beside the entry door was left unfinished, missing window casing and window. Open space was covered with plastic tarping and exterior siding material. Foundation materials were exposed. This is in contravention of the Minimum Housing and Health Standards section 2(b)(i) which states all windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.
- n. The bedroom window the tenant using for sleeping was not able to be opened and not accessible. It was obstructed from the inside and outside. This is in contravention of the Minimum Housing and Health Standards section 3(b)(i) 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.
- o. Exterior door dead bolt was missing. 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.
- p. The living area was extremely cluttered with garbage bags, waste building material, personal belongings, shelves, and cardboard boxes. This is in contravention of 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.
- q. Front deck has loose, damaged boards, and the wood is deteriorating/rotting, and sinking towards the house. This is in contravention of section 3(c)(i) of the Minimum Housing and Health Standards which states that: 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.

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 31, 2024.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install a heating facility that is properly installed and maintained in good working condition and capable of maintaining all habitable rooms at 22C.
 - b. Have the electrical system inspected by a qualified Electrician and submit a report that outlines that the system is safe.
 - c. Install covers over all electrical outlets and switches, and properly mount switches to the walls to prevent.
 - d. Have an electrician install missing light fixtures, repair exposed wiring and make sure they are in good working condition.
 - e. All floors, walls, ceilings and counters to be in good repair.
 - f. Develop a fully operational kitchen with a working stove, a working refrigerator, cupboards and a properly plumbed kitchen sink and faucets.
 - g. Install a handrail for the basement staircase that meets the Alberta Building Code requirements.
 - h. Install working smoke as described in Section 12 of the Housing Standards.
 - i. Install a flush toilet and connect all wastewater to sanitary sewer or holding tank on site that can be used year-round.
 - j. Install properly plumbed sinks and faucets.

- k. Provide an Executive Officer of AHS with evidence as required to demonstrate the water supply is potable.
 - l. Install a hot water tank that can ensure a consistent supply of hot water to the dwelling.
 - m. Properly finish the entrance window to a weatherproof condition.
 - n. Ensure the bedroom window is accessible and openable without the use of tools or special knowledge.
 - o. Replace the missing dead bolt at the exterior door.
 - p. Remove cluttering and accumulation of garbage bags, waste building material, personal belongings, shelves, and boxes throughout the dwelling.
 - q. Eliminate physical hazards on front deck including rotting materials, loose boards, and popping nails, repair and rebuild the front deck.
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 Cochrane, Alberta, April 29, 2024

Confirmation of a verbal order issued to Marc Schulz on April 25, 2024.

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

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>