

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

To: Kerry Elton Harnack
Walden George Harnack
“the Owners”

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

RE: Those housing premises located in Red Deer County, Alberta and municipally described as: 28015 TWP Road 360 (Garage)

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. Garage heater (gas) utilized as the main form of heating the suite.

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. Garage heater (gas) utilized as the main form of heating the suite. The authority having jurisdiction (Safety Codes Officer) has confirmed that the heating system is in contravention of Section 8(a) of the Minimum Housing and Health Standards, which states: “All heating facilities within a housing premises are to be properly installed and maintained in good working condition” and Section 4(i)(b) which states: “All rooms used for sleeping shall be provided with mechanical ventilation in conformance with the requirements of the Alberta Building Code.”
- b. Drywall around the shower head in the washroom is not present and insulation is exposed to moisture. This is in contravention of Section 5(a) of the Minimum Housing and Health Standards, which states: “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 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 4, 2023.

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 the garage heater and replace it with heating facilities that are properly installed and in compliance with all applicable regulations, codes and standards.
 - b. Repair the drywall around the showerhead.
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, June 27, 2023
Confirmation of a verbal order issued to Walden Harnack on May 30, 2023.

(Original Signed)
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>

Template revised October 13, 2022

AMENDED