

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

To: Susanne Miller
Daniel Miller
“the Owners”

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

RE: Those housing premises located in Sylvan Lake, Alberta and municipally described as:
4514 43 Street.

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. Light fixture at the top of the stairs is not working.
- b. There are missing and broken ceiling light covers in the kitchen.
- c. There is a missing transition on the floor at the threshold to the northwest corner bedroom.
- d. The floor beneath the toilet is soft and the linoleum is in disrepair.
- e. Drawers in the kitchen cabinets were broken and not sitting securely in the space provided.
- f. Damage was observed on the wall beneath and to the left and right of the living room front (east) window. Wall to the right of window was cracked and bulging. Wall was soft to the touch in these areas. Elevated moisture detected in these areas.
- g. South facing wood window frame (living room side window) was in disrepair with signs of moisture damage and mold growth observed.
- h. Kitchen faucet was loose and not sealed at base of sink, allowing water to seep onto materials below.
- i. The mechanical ventilation in the bathroom was not working.
- j. Roof above the east living room window is beginning to curl and some shingles were observed on the ground that appear the same as those on the roof.
- k. The down spout on south side of home was directing water straight towards the foundation.
- l. The patio screen is torn on the left side.

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. Light at the top of the stairs is not working. This is in contravention of Section 11 of the Minimum Housing and Health Standards, which states: "Every housing premises shall be supplied with electrical services. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition."
- b. There are missing and broken ceiling light covers in the kitchen. This is in contravention of Section 5 of the 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."
- c. There is a missing transition on the floor at the threshold to the northwest corner bedroom. This is in contravention of Section 5 of the 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."
- d. The floor beneath the toilet is soft and the linoleum was in disrepair. 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."
- e. Drawers in the kitchen cabinets were broken and not sitting securely in the space provided. This is in contravention of Section 14(a)(ii) of the 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."
- f. Damage was observed on the wall beneath and to the left and right of the living room front (east) window. Wall to the right of window was cracked and bulging. Wall was soft to the touch in these areas. Elevated moisture detected in these areas. This is in 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."
- g. South facing wood window frame (living room side window) was in disrepair with signs of moisture damage and mold growth observed. This is in contravention of Section 5(2) of the Housing Regulation, AR 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 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." And Section 2(b)(i) of the Minimum Housing and Health Standards, which states: "All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof."
- h. Kitchen faucet was loose and not sealed at base of sink, allowing water to seep onto materials below. This is in 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."
- i. The mechanical ventilation in the bathroom was not working. This is in contravention of Section 7(c) of the Minimum Housing and Health Standards, which states: "All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation."

- j. Roof above the east living room window is beginning to curl and some shingles were observed on the ground that appear the same as those on the roof. This is in 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.”
- k. The down spout on the south side of home was directing water straight towards the foundation. This is in 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.”
- l. The patio screen is torn on the left side. This is in contravention of Section 2(b)(iii) of the Minimum Housing and Health Standards, which states: “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.”

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 January 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. Ensure the light fixture at the top of the stairs is maintained in good working condition.
 - b. Ensure the surfaces including walls, ceiling light covers and floors are maintained in good condition and free of cracks and missing coverings.
 - c. Ensure the bathroom floor is structurally sound, any damaged materials beneath are repaired or replaced, the floor is free of moisture and maintained in a smooth, non-absorbent and cleanable condition.
 - d. Repair the kitchen drawers.
 - e. Remove all damaged wall material, remediate any areas affected by mold and repair and refinish the walls.
 - f. Replace any rotting or damaged materials including wall surfaces, sub-surfaces, and window frames.
 - g. Secure and seal the kitchen faucet.
 - h. Ensure the ventilation in the bathroom is maintained in good working condition.
 - i. Assess the roof and downspout for water infiltration and ensure they are maintained in a waterproof, windproof, and weatherproof condition.
 - j. Repair the patio screen.
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 Sylvan Lake, Alberta, January 3, 2024.

Confirmation of a verbal order issued to Justin Derksen and Vanessa Reid, on January 2, 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 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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Copy: Town of Sylvan Lake

Sylvan Lake • Sylvan Lake Community Health Centre • Environmental Public Health

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