

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

To: Douglas Pohl
Karen Pohl
“the Owners”

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

RE: Those housing premises located in Wetaskiwin, Alberta and municipally described as:
1 - 4602 55 Avenue

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 window in the bedroom in the southeast corner of the basement has an openable area measured at 15" X 22.5" = 2.3 sq. ft. Furthermore, the living area is being used as a sleeping area and the window in the living area has an openable area measured at 14" X 22.5" = 2.2 sq. ft.
- b. The window in the bedroom in the southeast corner of the basement does not latch closed.
- c. The moisture of the floor area in front of the stove in the basement kitchen was measured at greater than 17% WME (Wood Moisture Equivalent), with some areas upwards of 60% WME (Wood Moisture Equivalent).

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 window in the bedroom in the southeast corner of the basement has an openable area measured at 15" X 22.5" = 2.3 sq. ft. Furthermore, the living area is being used as a sleeping area and the window in the living area has an openable area measured at 14" X 22.5" = 2.2 sq. ft. This is in contravention of Section 3(b)(ii) of the Minimum Housing and Health Standards, which states, “Windows shall provide unobstructed openings with areas not less than 0.35 square metres (3.8 sq. ft.) with no dimension less than 380 mm (15 inches).”
- b. The window in the bedroom in the southeast corner of the basement does not latch closed. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states, “Exterior windows and doors shall be capable of being secured.”

- c. The moisture of the floor area in front of the stove in the basement kitchen was measured at greater than 17% WME (Wood Moisture Equivalent), with some areas upwards of 60% WME (Wood Moisture Equivalent). This is in contravention of Section 1(b,d) of the Minimum Housing and Health Standards, which states, “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation. Repairs or modifications of any structural element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline).”

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 September 30, 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. Ensure the window in the bedroom provides an unobstructed opening with an area not less than 0.35 square meters (3.8 sq. ft.), with no dimension less than 380 mm (15”).
 - b. Ensure the window in the living area provides an unobstructed opening with an area not less than 0.35 square meters (3.8 sq. ft.), with no dimension less than 380 mm (15”). Alternatively, the living room space shall not be used as a sleeping area.
 - c. Ensure the window in the bedroom is capable of being secured.
 - d. Investigate and determine where and how water is infiltrating into the kitchen space (including the north wall) and make all necessary repairs to prevent water from infiltrating and accumulating in this area.
 - e. After addressing the water infiltration issue, repair/replace any water damaged/mold contaminated materials.
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 Wetaskiwin, Alberta, August 31, 2023
Confirmation of a verbal order issued to Douglas Pohl on August 31, 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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