

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

To: Gordon Jones
"the Owner"

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

RE: Those housing premises located in Clive, Alberta and municipally described as:
5020 51 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. There is mould growth on the seal between the bathtub and the tub surround.
- b. The openable area of the northwest bedroom window measures 27.5 inches by 11.5 inches.
- c. The electrical outlet on the east wall of the living room is not secure.
- d. Portions of the cement on the north foundation wall have broken away from the wall.
- e. All habitable rooms are not capable of being heated to at least 22°C (71°F).

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 openable area of the northwest bedroom window measures 27.5 inches by 11.5 inches. Contrary to Section 3(b)(i) of the Minimum Housing and Health Standards that 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. (ii) Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8 ft²), with no dimension less than 380 mm (15")."
- b. The electrical outlet on the east wall of the living room is not secure. Contrary to Section 11 of the Minimum Housing and Health Standards that 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."
- c. The ceiling light fixture in the northwest bedroom does not work. Contrary to Section 11 of the Minimum Housing and Health Standards that 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."

- d. The exterior light fixture over the front entrance door does not work. Contrary to Section 11 of the Minimum Housing and Health Standards that 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.”
- e. Portions of the cement on the north foundation wall have broken away from the wall. Contrary to Section 1(b) of the Minimum Housing and Health Standards that states: “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.”
- f. There is a hole in the north wall of the kitchen and the kitchen walls do not have a smooth easily cleanable surface. Contrary to Section 5(b) of the Minimum Housing and Health Standards that states: “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.”
- g. The linoleum on the kitchen floor is lifting along the north wall and is not sealed properly. Contrary to Section 5(b) of the Minimum Housing and Health Standards that states: “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.”
- h. The linoleum on the bathroom floor is not sealed properly to the wall and bathtub. Contrary to Section 5(a) of the Minimum Housing and Health Standards that 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.”
- i. There is water damage to the bathroom floor along the west wall adjacent the bathtub. Contrary to Section 5 of the Minimum Housing and Health Standards that states: “All walls, windows, ceilings, floors, 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.”
- j. The inside pane of glass on the south side window of the southwest bedroom is broken. Contrary to Section 2(b) of the Minimum Housing and Health Standards that states: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- k. There is a crack in the west wall of the northwest bedroom. Contrary to Section 5 of the Minimum Housing and Health Standards that states: “All walls, windows, ceilings, floors, 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.”
- l. There is a hole in the east wall of the living room and a portion of the living room drywall has been removed exposing the insulation. Contrary to Section 5 of the Minimum Housing and Health Standards that states: “All walls, windows, ceilings, floors, 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.”
- m. The wall coverings on the north and east walls of the northwest bedroom have been partially torn off. Contrary to Section 5 of the Minimum Housing and Health Standards that states: “All walls, windows, ceilings, floors, 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. The carpet in the southwest and northwest bedrooms is frayed and lifting. Contrary to Section 5 of the Minimum Housing and Health Standards that states: “All walls, windows,

ceilings, floors, 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.”

- o. All habitable rooms are not capable of being heated to at least 22°C (71°F). Contrary to Section 8(a) of the Minimum Housing and Health Standards that states: “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).”
- p. The shingles on the west side of the premise are curling up and lifting. Contrary to Section 2(a) of the Minimum Housing and Health Standards that 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 on or before April 15, 2019.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remediate the mould growth in the bathroom.
 - b. Ensure that the window in the northwest bedroom has an openable area of at least 0.35m² (3.8ft²).
 - c. Ensure that all electrical outlets and fixtures are installed properly and in good working condition.
 - d. Ensure that the foundation is structurally sound and any repairs are supervised by a structural engineer or Safety Codes Officer.
 - e. Ensure that the materials on the kitchen walls do not provide harbourage to dirt, grease, vermin and bacteria and are easily cleaned.
 - f. Ensure that the linoleum on the bathroom floor is sealed to the wall and bathtub.
 - g. Repair the water damaged floor in the bathroom.
 - h. Repair the broken window in the southwest bedroom.
 - i. Ensure that all walls are free of cracks, holes and in a condition that renders them easy to clean.
 - j. Ensure that damaged floor coverings are either repaired or replaced.
 - k. Ensure that all habitable rooms can be safely and adequately heated to at least 22°C (71°F).
 - l. Ensure that the shingles on the roof are in good condition.
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, April 11, 2019

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: <http://www.health.alberta.ca/about/PHAB.html>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: www.health.alberta.ca/about/health-legislation.html

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