

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

To: Christine Munn
James Matthews
“the Owners”

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

RE: Those housing premises located in Bashaw, Alberta and municipally described as:
5033 52 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 bathtub area, in the main floor bathroom, requires re-caulking. This includes the bathtub wall panel joints, wall and tub joints, and faucet areas.
- b. The wall area of the upper set of the stairs that lead from the main floor to the second floor are missing the skirtboard - exposing large holes in the wall.
- c. The frame of the stairs that lead from the main floor to the second floor is unfinished.
- d. The flooring in the main floor living room is missing transition strips between the living room area and adjacent areas with different flooring.
- e. Several electrical outlets and switches (i.e. for lights) do not have a cover plate installed.
- f. An electrical outlet in the basement bedroom is coming out of the wall and is not securely installed.
- g. The window in the basement bedroom does not open.
- h. The window in the main floor bedroom does not have an openable area of 3.8 sq. ft. Furthermore, the screen cannot be easily removed.
- i. The window in the southwest facing bedroom on the second floor does not open.
- j. The handrails in the backyard deck stairs are in disrepair.
- k. The west facing window in the living room area of the basement is missing the exterior window/pane. Only the interior window is installed and is single-paned.
- l. Windows in each of the two bedrooms on the second floor, as well as the window in the basement bedroom are missing screens.
- m. There are several deficiencies with the exterior weatherproofing including:
 - a. Siding missing on the back side of the house.
 - b. The weather stripping of the back door is deteriorating.
 - c. There is a pipe that runs cables from the exterior to the interior on the side of the house that is not sealed/covered.
- n. There is visible mould growth in the basement living room area along the floor and wall joint of the southwest wall.

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. Item (a) is in contravention of the Minimum Housing and Health Standards, section 5(a) 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.”
- b. Items (b, c, and d) are in contravention of the Minimum Housing and Health Standards, section 5 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. Items (e and f) are in contravention of the Minimum Housing and Health Standards, section 11 which states: “Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”
- d. Items (g, h, and i) are in contravention of the Minimum Housing and Health Standards, section 3(b)(i) and 3(b)(ii) which states: “For buildings of 3 stories 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.”, and “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).”, respectively.
- e. Item (j) is in contravention of the Minimum Housing and Health Standards, section 3(c)(i) which states: “Handrails shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.”
- f. Item (k) 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.”
- g. Item (l) is in contravention of the Minimum Housing and Health Standards, section 2(b)(iii) 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.”
- h. Item (m) is in contravention of the Minimum Housing and Health Standards, section 2(a) which states: “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.”
- i. Item (n) is in contravention of the Housing Regulation, Alberta Regulation 173/99, section 5(2) 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 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 14, 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 bathtub area in the main floor bathroom is re-caulked. Including the wall area of the upper set of the stairs that lead from the main floor to the second floor.
 - b. Ensure the stair skirtboard is installed at the upper set of the stairs that lead from the main floor to the second floor.
 - c. Ensure the frame of the entry way of the stairs that lead from the main floor to the second floor is finished.
 - d. Ensure transition strips are installed on the flooring between adjacent areas of the living room on the main floor that have different flooring.
 - e. Ensure cover plates are installed on all electrical outlets and switches.
 - f. Ensure the electrical outlet in the bedroom in the basement is installed appropriately.
 - g. Ensure bedroom windows provide 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").
 - h. Ensure the handrails of the backyard deck stairs are repaired and are in compliance with the requirements of the Alberta Building Code or a Professional Engineer design.
 - i. Ensure the exterior window of the west facing window in the living room area of the basement is installed.
 - j. Ensure screens are installed at the windows in each of the two bedrooms on the second floor, as well as the window in the basement bedroom.
 - k. Ensure the following areas are remediated and/or repaired so that they are in a waterproof, windproof, and weatherproof condition:
 - (1) Siding on the back side of the house.
 - (2) The weather stripping of the back door.
 - (3) Seal any openings to the exterior of the house.
 - l. Address the visible mould growth in the basement living room area along the floor and wall joint of the southwest wall by:
 - (1) Determining the source of the water infiltration problem and making any necessary repairs.
 - (2) Remediating and/or replacing water damaged and/or mould contaminated building 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 Ponoka, Alberta, March 15, 2023

Confirmation of a verbal order issued to Christine Munn on March 15, 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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