

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

**To:**            **Ken Raiche**            **588634 Alberta Ltd**  
                     **Edmonton, Alberta**    **Edmonton, Alberta**

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

**RE:**            **Suite #102, 11637 – 124 Street Edmonton, Alberta**  
                     **Lot 15 Block 34 Plan RN46**

**WHEREAS** I, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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 the prevention or suppression of disease, namely:

- a. There was an extensive amount of materials including: combustible materials, cardboard, wood, appliances etc stored in this vacant suite.
- b. The kitchen counter was damaged.
- c. The flooring was torn through out the suite.

\* A complete inspection was not possible due to the amount of storage items within this 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. Nuisance and General Sanitation Regulation 243/2003 s.2  
The extensive amount of storage materials in this suite is a contravention of Part 1, Section 2(1) which states that no person shall create, commit or maintain a nuisance, and 2(2)(a) which states that without limiting the generality of subsection (1), a person who creates, commits or maintains (a) any premises in a condition that is or might become injurious or dangerous to the public health or that might hinder in any manner the prevention or suppression of disease is deemed to have created, committed or maintained a nuisance.
- b. Housing Regulation 173/99 s.4  
The disrepair of the kitchen counter is a contravention of section IV(14)(a)(iii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.

- c. Housing Regulation 173/99 s.4  
The torn flooring is a contravention of section III(5) of the Minimum Housing and Health Standards which states that: 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.

**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. The vacant suite must remain unoccupied as of February 7, 2013
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Reduce the amount of storage within the suite in order to alleviate any possible public health nuisance or fire hazard
  - b. Repair or replace the kitchen counter.
  - c. Repair or replace the flooring.
  - d. The suite must under go all repairs required to meet Public Health Act and the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards before it is to be used as an accommodation.
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 Edmonton , Alberta, February 12, 2013  
Confirmation of an oral order issued to Ken Raiche at February 7, 2013.

\_\_\_\_\_(Original Signed)\_\_\_\_\_  
Sylvia Kunczewicz, BSc, BEH (AD), CIPHI (C)  
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, Telus Plaza North Tower  
10025 Jasper Avenue NW  
Edmonton, AB T5J 1S6  
Phone: 780-427-2813  
Fax: 780-422-0914  
E-mail: [health.appealboard@gov.ab.ca](mailto:health.appealboard@gov.ab.ca)

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](http://www.qp.gov.ab.ca).*

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*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](http://www.health.alberta.ca/about/health-legislation.html)*