

**ORDER OF AN EXECUTIVE OFFICER
CLOSED FOR TENANT ACCOMODATION
ORDER TO VACATE**

To: Duane and Elizabeth Riehl (owner)

And To: Alexandra Grenier and all Occupant(s) of the following Housing premises:

RE: 50259 RR 221, Leduc County, Alberta
NW – 13 – 050 – 22 W4M

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) Extensive water damage is evident along the entire wall of the basement. The windows in the basement do not have adequate soil grading away from the dwelling and water has leaked into the basement. The exposed building materials (drywall) all demonstrate deterioration and presence of mold.
- b) Plumbing fixtures in basement bathroom shower/tub does not properly drain into tub and pools around tub ledge.
- c) The main floor toilet is leaking through the floor with water damage occurring in the basement ceiling.
- d) The drywall in the bathroom is in disrepair with evidence of mould.
- e) There are no hand rails located on the staircases leading to the basement and to the upstairs bedrooms.
- f) The upstairs middle bedroom does not have a window.
- g) There is no smoke alarm installed for the upstairs bedrooms.
- h) There is evidence of mouse droppings in the lower kitchen cupboards.
- i) There is an electrical cord running out of a bedroom window to power the septic tank pump.

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) Extensive water damage is evident along the entire wall of the basement. The exposed building materials (drywall) demonstrate deterioration and presence of mold. Section 5: 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.

- b) Plumbing fixtures in basement bathroom shower/tub do not properly drain into tub and [water](#) pools around tub ledge. Section 6(c): All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- c) The main floor toilet is leaking through the floor with water damage occurring in the basement ceiling. Section 6(c): All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside. Section 1(c) "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- d) The drywall in the bathroom is in disrepair with evidence of mould. Section 1(c) "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- e) There are no hand rails located on the staircases leading to the basement and to the upstairs bedrooms. Section 3(c) Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.
- f) The upstairs middle bedroom does not have a window. Section 4(a, b): All rooms used for sleeping shall be provided with: (a) openable window area of 0.28 sq.m (3.0 sq.ft).
- g) There is no smoke alarm installed for the upstairs bedrooms. Section 12(a): Smoke alarms shall be operational and in good repair at all times.
- h) There is evidence of mouse droppings in the lower kitchen cupboards. Section 16 (a): The owner shall ensure that the housing premises are free of insect and rodent infestations; and (i) all situations requiring the application of pesticides shall be conducted in accordance with the Environmental Protection and Enhancement Act and regulation; and (ii) whenever a pesticide is applied in a dwelling, the occupant shall be notified in accordance with the latest edition of the Environmental Code of Practice for Pesticides published by Alberta Environmental Protection. (iii) it is the occupants responsibility to allow access in accordance to the Residential Tenancy Act to do whatever is necessary to ensure the dwelling unit is ready for pesticide application.
- i) There is an electrical cord running out of a bedroom window to power the septic tank pump. Section 6(a): The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pump-out sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating 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 30, 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) Determine cause of water infiltration into the housing premise and repair.
 - b) Install or repair proper plumbing for the shower/tub
 - c) Repair or replace the toilet that is leaking on the main floor and replace damaged drywall in basement ceiling.
 - d) Remove and replace all water/mould damaged materials including drywall.
 - e) Repair / re-install the missing hand rails ensuring that they meet the intent of the Alberta Building Codes.
 - f) Cease using the middle room in the upstairs as a bedroom.
 - g) Install a functioning smoke alarm.
 - h) Clean up mouse droppings and repair openings to prevent further rodent infestation.
 - i) Properly install electrical system for the septic pump ensuring that it meets the intent of the Alberta Building Code.
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 Leduc, Alberta, April 30, 2013.

Original Signed _____
Stephen Jacobsen, B.Sc., B.EH (AD), P.Ag. (RT), CPHI(C)
Executive Officer
Environmental Health Officer
Alberta Health Services – Edmonton Zone

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 within ten (10) days after receiving the order to the Public Health Appeal Board located at 24th Floor, Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6. Telephone (780) 427-2813.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at (780) 342-0122, or the Public Health Appeal Board (780) 427-2813.

You are advised that all orders remain in effect pending such an appeal

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.

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

Confirmation of an oral order issued to Duane Riehl at 11:20 am April 30, 2013

Confirmation of an oral order to vacate to Alexandra Grenier, at 3 pm April 25, 2013