

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

To: Jenifer King
"the Owner"

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

RE: Those housing premises located in Manning, Alberta and municipally described as: 322 7 Avenue SE.

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. Lifting and damaged floor coverings.
- b. There is no handrail installed along the basement staircase.
- c. Bedroom windows are sealed shut and, if they could be opened, only allow an openable area of under 0.3 metre squared which is not sufficient for the required emergency egress.
- d. No smoke alarms were installed.
- e. The deck has damaged and rotting wood.
- f. Water infiltration noted in the basement.
- g. No ventilation in the bedrooms because the windows cannot be opened.
- h. The window in the bathroom cannot be opened and there is no mechanical ventilation.
- i. Windows and front door are not weatherproof. Plastic was taped over the windows and front door.
- j. The roof shingles are damaged, and it appears that new shingles have been installed over old shingles for part of the roof.
- k. There are no screens for the windows that can be opened.

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. Lifting and damaged floor coverings. This is in contravention of Section 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.”

- b. There is no handrail installed along the basement staircase. This is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which states that “Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, 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.”
- c. Bedroom windows are sealed shut and, if they could be opened, only allow an openable area of under 0.3 metre squared which is not sufficient for the required emergency egress. This is in contravention of Section 3(b)(i) of the Minimum Housing and Health Standards which states that “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 Section 3(b)(ii) of the Minimum Housing and Health Standards which states that “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).”
- d. No smoke alarms were installed. This is in contravention of section 12 of the Minimum Housing and Health Standards which states: “Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway.”
- e. The deck has damaged and rotting wood. This is in contravention of Section 1(c) of the Minimum Housing and Health Standards which states that “building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced”.
- f. Water infiltration noted in the basement. This is in contravention of Section 1(b) of the Minimum Housing and Health Standards which states that “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation”.
- g. No ventilation in the bedrooms because the windows cannot be opened. This is in contravention of Section 4(a,b) of the Minimum Housing and Health Standards which state that “all rooms used for sleeping shall be provided with an openable window area of 0.28 sq. m (3.0 sq. ft.) or mechanical ventilation in conformance with the requirements of the Alberta Building Code”.
- h. The window in the bathroom cannot be opened and there is no mechanical ventilation. This is in contravention of Section 7(c) of the Minimum Housing and Health Standards which states that “rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation. A bathroom fan exhausted to the exterior is needed where windows cannot be solely relied upon”.
- i. Windows and front door are not weatherproof. Plastic was taped over the windows and front door. This is in contravention of Section 2(b)(i) of the Minimum Housing and Health Standards which states that “windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof”.
- j. The roof shingles are damaged, and it appears that new shingles have been installed over old shingles for part of the roof. This is in contravention of Section 2(a) of the

Minimum Housing and Health Standards which states that “the roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition”.

- k. There are no screens for the windows that can be opened. This is in contravention of Section 2(b)(iii) of the Minimum Housing and Health Standards which states that “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”.

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 August 1, 2024.
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 that all floor coverings are in good repair and in a condition that renders it easy to clean.
 - b. Ensure that a handrail is installed along the basement stairs.
 - c. Ensure that all bedroom windows are in compliance with emergency egress requirements.
 - d. Ensure that smoke alarms are installed and in good working order.
 - e. Ensure that all damaged and rotting wood is replaced.
 - f. Investigate the source of the water infiltration into the basement and ensure it is stopped and any damage repaired.
 - g. Ensure that there is adequate ventilation in the bedrooms.
 - h. Ensure that there is adequate ventilation in the bathroom.
 - i. Ensure that all doors and windows are weatherproof and in good repair.
 - j. Ensure that the roof is weatherproof and in good repair.
 - k. Provide screens for all openable windows.
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 Peace River, Alberta, July 31, 2024.

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>

Template revised October 13, 2022