

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

To: Ian Jeffrey Little
"the Owner"

And To: Cynthia Dawn Podov
"the Owner"

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

RE: Those housing premises located in Spirit River, Alberta and municipally described as:
4921 46 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. Lack of an operational smoke alarm adjacent to sleeping areas
- b. Evidence of a rodent infestation
- c. Unsafe heating supply provided to the washroom
- d. Evidence of walls, ceilings, and floors in disrepair.
- e. Missing caulking around the tub and gaps are present between walls, between walls and floors, between walls and ceiling, and between walls, floors, and the bathtub.
- f. Broken windows and improperly repaired windows
- g. The staircase to the attic in disrepair
- h. There is no mechanical or natural ventilation in the washroom.
- i. An active water leak.

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. Smoke alarm is not present in the dwelling. This condition 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 in the hallway."
- b. Evidence of rodent and insect infestation. This is in contravention of section 16(a) of the Minimum Housing and Health Standards which states: "The owner shall ensure that the housing premises are free of insect and rodent infestations."

- c. The heating source for the washroom was space heaters located underneath the washroom floor. This could also present a fire hazard. This condition is in contravention of section 8(a) of the Minimum Housing and Health Standards which 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).”
- d. The floor coverings throughout the dwelling, ceiling in the washroom and walls throughout the dwelling are in disrepair. This condition is in contravention of section 5 of the Minimum Housing and Health Standards 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.”
- e. Missing caulking around the tub and gaps are present between walls, between walls and floors, between walls and ceiling, and between walls, floors, and the bathtub. This is in contravention of section 5(a) of the Minimum Housing and Health Standards which states: “Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, nonabsorbent 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.”
- f. Windows in the kitchen and washroom are broken. Windows throughout the dwelling are not in good repair, repaired with plexiglass and/or unfinished wood. This is in contravention of section 2(b)(i) of the Minimum Housing and Health Standards which states: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- g. The staircase to the attic is not maintained in good repair. One step is broken, and the railing is loose. This condition is in contravention of section 3(c)(i) of the Minimum Housing and Health Standards which states: “Inside and 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.”
- h. There is no mechanical or natural ventilation in the washroom. This is in contravention of section 7(c) of the Minimum Housing and Health Standards which states, “All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.”
- i. An active water leak is present in the washroom. This is in contravention of section 6(c) of the Minimum Housing and Health Standards which states: “All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”

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 March 1, 2021.
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 functional smoke alarms are present adjacent to sleeping rooms;

- b. Obtain the services of a professional pest control operator to remediate the rodent infestation;
 - c. Ensure any heating facility is properly installed, has a certificate of compliance and maintained in good working condition;
 - d. The heating facility must adequately heat all habitable rooms and bathrooms within the building to a temperature of at least 22°C (71°F) in the winter;
 - e. Ensure all floors, walls, ceilings and floor coverings are in good repair and free of cracks, holes, loose or lifting coverings and in a condition that renders them easy to clean.
 - f. Ensure that all walls in the washroom form a watertight joint with each other, with the floor, the ceiling, and the bathtub/shower. Ensure caulking is present along joints of tub;
 - g. Ensure all windows are maintained in good repair, free of cracks and weatherproof;
 - h. Ensure stairs including all treads, risers, supporting structural members, handrails and guards are maintained in good repair and in compliance with the requirements of the Alberta Building Code or a Professional Engineer design;
 - i. Ensure the washroom is equipped with adequate natural or mechanical ventilation;
 - j. Ensure all plumbing fixtures are free from leaks; and
 - k. Produce a satisfactory report from a Certified Safety Codes Officer under the Safety Codes Act.
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 February 22, 2021
Confirmation of a verbal order issued to Ian Little on February 22, 2021.

Executive Officer
Alberta Health Services

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 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.

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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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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