

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

**To:** Patrick Sutterfield  
"the Owner"

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

**RE:** Those housing premises located in Cold Lake, Alberta and municipally described as:  
5114 53 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. A sewage pipe from the rental unit that is connected to the city sewer line is broken.
- b. Due to the broken sewage pipe there is sewage accumulating on the ground underneath the rental unit.
- c. There is no smoke alarm in the hallway.
- d. The toilet in the washroom is leaking; water was observed pooling on the floor.
- e. Water marks were observed on the ceiling in the porch and on the ceiling in the master bedroom.
- f. The wood frames around the porch window and the master bedroom window are unfinished.
- g. Floor in the washroom is not in good repair; it is lifting along the bathtub.

**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. A sewage pipe from the rental unit that is connected to the city sewer line is broken. This is in contravention of section VI (a) of the Minimum Housing and Health Standards which states that: 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.
- b. Due to the broken sewage pipe there is sewage accumulating on the ground underneath the rental unit. This is in contravention of section V (2) of the Housing Regulation which states that: A condition in this housing / public accommodation facility is creating a nuisance

condition. 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.

- b. There is no smoke alarm in the hallway. This is in contravention of the Minimum Housing and Health Standards section XII which states that 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 alarm shall be installed within the hallway.
- c. The toilet in the washroom is leaking; water was observed pooling on the floor. This is in contravention of section IV(6)(c) and IV (7) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet that shall be serviceable, free from leaks, trapped and vented to the outside.
- d. Water marks were observed on the ceiling in the porch and on the ceiling in the master bedroom. This is in contravention of section III(1)(a,b) of the Minimum Housing and Health Standards which states that: the housing premises shall be structurally sound, and; basements, cellars or crawl spaces shall be structurally sound, and maintained in good repair and free from water infiltration and accumulation.
- e. The wood frames around the window in the porch and the window in the master bedroom are unfinished. This is in 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.
- f. Floor in the washroom is not in good repair; it is lifting along the bathtub. This is in 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. That the occupants vacate the above noted premises on or before September 22, 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. Repair the broken sewer pipe and stop the sewage from ponding on the ground.
  - b. Remove and properly dispose of any accumulated sewage effluent.
  - c. Install a functioning smoke alarm in the hallway.
  - d. Repair the toilet in the washroom.

- e. Remove all materials with water marks and replace with new material. Ensure water infiltration source is identified and corrected, as required.
  - f. Ensure all window frames are properly finished.
  - g. Ensure all floor throughout dwelling is in good repair.
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 Cold Lake, Alberta, September 19, 2023.  
Confirmation of a verbal order issued to Elizabeth Gabriel (current tenant) and Patrick Sutterfield (Owner) on September 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](mailto: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.

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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Cold Lake • Cold Lake Community Health Services • Environmental Public Health

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<https://www.ahs.ca/eph>