

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

**To:** Barthel Victor Kuefler  
"the Owner"

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

**RE:** Those housing premises located in Big Lakes County, Alberta and municipally described as: 74503 Range Road 173, Big Lakes County, Alberta  
SW-34-74-17-W5M

**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. The washroom sink basin is broken and has been disconnected from the potable water and sewage lines.
- b. Non-operational refrigerator and freezer.
- c. The wood burning stove used as an auxiliary source of heat is degraded with holes on the exhaust stack.
- d. No operational smoke alarms are installed in the dwelling.
- e. An exterior door that is incapable of being secured.
- f. Damaged / rotted building materials observed in the washroom, kitchen window and porch.
- g. No hot water supplied to the dwelling.
- h. Multiple instances of inadequate weatherproofing of windows and exterior doors.
- i. Washroom walls and floors are in disrepair and not smooth, non-absorbent or easy to clean.
- j. Kitchen sink leaking at the p-trap.

**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. The washroom sink basin is broken and has been disconnected from the potable water and sewage lines which is a contravention of section IV(6)(a), section IV(6)(c) and section IV(7)(a) of the Minimum Housing and Health Standards which state 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, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper

operating condition, and; all plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside, and; the washbasins and bathtub or shower shall be supplied with potable hot and cold running water.

- b. Non-operational refrigerator and freezer which is a contravention of section IV(14)(a)(iv) of the Minimum Housing and Health Standards which states that: every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. (40 degrees F).
- c. The wood burning stove used as an auxiliary source of heat is degraded with holes on the exhaust stack which is a contravention of section 5(2) of the Housing Regulation which states that: 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.
- d. No operational smoke alarms are installed in the dwelling which is a contravention of section IV(12) of the Minimum Housing and Health Standards 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 alarms shall be installed within the hallway.
- e. An exterior door that is incapable of being secured which is a contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: exterior windows and doors shall be capable of being secured.
- f. Damaged / rotted building materials observed in the washroom, kitchen window and porch which is a contravention of section III(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.
- g. No hot water supplied to the dwelling which is a contravention of section IV(9)(a) of the Minimum Housing and Health Standards which states that: all hot running water shall be maintained at a temperature of not less than 46 degrees C (114 degrees F), and not more than 60 degrees C (140 degrees F) measured at the plumbing fixture.
- h. Multiple instances of inadequate weatherproofing of windows and exterior doors which is a contravention of section III(2)(b)(i) of the Minimum Housing and Health Standards which states that: all windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- i. Washroom walls and floors are in disrepair and not smooth, non-absorbent or easy to clean which is a contravention of section III(5)(a) of the Minimum Housing and Health Standards which states that: rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent 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.

- j. Kitchen sink leaking at the p-trap which is a contravention of section IV(6)(c) of the Minimum Housing and Health Standards which states that: 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 November 2, 2022.
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 an operational sink is properly installed in the washroom and that it is maintained in good repair.
  - b. That an operational refrigerator freezer combination be made available in the dwelling.
  - c. That the wood burning stove system, used for auxiliary heat source, shall not be used unless it is repaired and is demonstrated to meet Fire Code by a certified safety professional.
  - d. That operational smoke alarms be installed in the dwelling as required by applicable legislation.
  - e. That all exterior doors be made securable.
  - f. Any and all damaged / rotten building materials be repaired and / or replaced as required to ensure the dwelling is maintained in good repair.
  - g. That hot water be supplied to the dwelling and all required fixtures through the use of a hot water tank.
  - h. That all windows and doors be appropriately protected and / or repaired to ensure that the dwelling is made weatherproof.
  - i. Ensure that washroom surfaces are made to be smooth, non-absorbent to moisture, easy to clean, and that all joints are water tight.
  - j. That the plumbing at the kitchen sink be repaired so that it is free of leaks.
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 High Prairie, Alberta, October 12, 2022

Confirmation of a verbal order issued to Barthel Victor Kuefler on October 12, 2022.

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.

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>.

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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>**

Template revised September 12, 2022

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Order of an Executive Officer – Closed for Tenant Accommodation – Order to Vacate  
RE: The premises located in Big Lakes County, Alberta and municipally described as:  
74503 Range Road 173, Big Lakes County, Alberta  
SW-34-74-17-W5M  
Page 5 of 5

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High Prairie • High Prairie Health Complex • Environmental Public Health

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