

## **ORDER OF AN EXECUTIVE OFFICER CLOSED FOR TENANT ACCOMMODATION PURPOSE**

**To: Wallace & Karen Dorchak & Bray Dan Harvesting Inc.**

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

**RE: 119-12<sup>th</sup> Street Nobleford, Alberta**

**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) No emergency egress
- b) Improper hand railing
- c) No sleeping room ventilation
- d) No smoke alarms
- e) Washroom facilities that contain unfinished surfaces and lack proper fixtures
- f) Six beds in 8 ft X 8ft room (Overcrowding)
- g) Signs of rodents

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act and the Regulations there under exist in and about the above noted premises, namely:

**a. Housing Regulation AR 173/99 s3**

The dwelling lacks emergency egress, smoke alarms, and proper hand railing which is in contravention of section 3(1)(a)(ii) of the Housing Regulation which states that: an owner shall ensure that the housing premises are in a safe condition.

**b. Housing Regulation AR 173/99 s3**

Six beds are located in a 8 ft X 8ft room which is in contravention of section 3(1)(b)(iv) of the Housing Regulation which states that: an owner shall ensure that the occupants of the housing premises are supplied with adequate space for sleeping purposes.

**c. Housing Regulation AR 173/99 s4**

Violations of section 3, 4, 5, 7, 10 and 12 of the Minimum Housing and Health Standards which; is in contravention of section 4 of the Housing Regulation which states that: an owner shall maintain the housing premises in compliance with the Minimum Housing and Health Standards, as approved and published by the Minister and as amended by the Minister from time to time.

**d. Housing Regulation AR 173/99 s4**

Lack of an outside window in upstairs sleeping area which is in contravention of section III(3)(b) of the Minimum Housing and Health Standards which states that: For buildings of 3 stories or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge.

**e. Housing Regulation AR 173/99 s4**

Lack of an outside window in upstairs sleeping area which is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15").

**f. Housing Regulation AR 173/99 s4**

Stair and balcony railings which are not in compliance with the Alberta Building Code which is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: 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.

**g. Housing Regulation AR 173/99 s4**

No ventilation in sleeping area which is in contravention of section III(4)(a,b) of the Minimum Housing and Health Standards which states that: All rooms used for sleeping shall be provided with: (a) openable window area of 0.28m<sup>2</sup> (3.0ft<sup>2</sup>); or (b) mechanical ventilation in conformance with the requirements of the Alberta Building Code.

**h. Housing Regulation AR 173/99 s4**

Unfinished wood in bathroom which is in 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.

**i. Housing Regulation AR 173/99 s4**

Unfinished wood in kitchen area which is in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.

**j. Housing Regulation AR 173/99 s4**

No wash basin and bathtub or shower which is in contravention of section IV(7) of the Minimum Housing and Health Standards which states that: Except where exempt by regulation, every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower.

**k. Housing Regulation AR 173/99 s4**

No wash basin near flush toilet which is in contravention of section IV(7)(b) of the Minimum Housing and Health Standards which states that: The wash basin should be in the same room as the flush toilet or in close proximity to the door leading directly into the room containing the flush toilet.

**l. Housing Regulation AR 173/99 s4**

No natural or mechanical ventilation in bathroom which is in contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.

**m. Housing Regulation AR 173/99 s4**

No wash basin and bathtub or shower which is in contravention of section IV(7)(d)(i, ii, iii) of the Minimum Housing and Health Standards which states that: Occupants of a housing premises with more than one dwelling unit may share a flush toilet, wash basin and bathtub or shower provided that: the occupants have access to the washroom facility without going through another dwelling or outside of the building; and the facility is located on the same floor as, or on the next storey up or down from the floor on which the suite is located; and each group of plumbing fixtures (toilet, washbasin, bathtub or shower) shall not serve more than eight persons.

**n. Housing Regulation AR 173/99 s4**

Six beds are located in a 8 ft X 8ft room which is in contravention of section IV(10) of the Minimum Housing and Health Standards which states that: The owner of a housing premises shall not permit it to become or remain overcrowded.

**o. Housing Regulation AR 173/99 s4**

Six beds are located in a 8 ft X 8ft room which is in contravention of section IV(10)(a) of the Minimum Housing and Health Standards which states that: A housing premises shall be deemed to be overcrowded if: (i) a bedroom in it has less than 3m<sup>2</sup> (32ft<sup>2</sup>) of total floor area and 5.6m<sup>3</sup> (197ft<sup>3</sup>) of air space for each adult sleeping in the bedroom, (ii) in the case of a dormitory, the sleeping area in the dormitory has less than 4.6m<sup>2</sup> (49.5ft<sup>2</sup>) of floor space and 8.5 m<sup>3</sup> (300ft<sup>3</sup>) of air space for each adult sleeping in the sleeping area, or (iii) a habitable room in it that is not a bedroom but is used for sleeping purposes in combination with any other use has less than 9.5m<sup>2</sup> (102ft<sup>2</sup>) of floor space and 21.4m<sup>3</sup> (756ft<sup>3</sup>) of air space for each adult sleeping in the habitable room.

**p. Housing Regulation AR 173/99 s4**

No smoke alarms which is in 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.

**q. Housing Regulation AR 173/99 s4**

One kitchen for nine beds which is in contravention of section IV(14)(b)(iv) of the Minimum Housing and Health Standards which states that: Occupants of a housing premises with more than one dwelling may share food preparation facilities provided that: the food preparation facilities shall not serve more than eight persons.

**r. Housing Regulation AR 173/99 s4**

Rodent dropping which is in contravention of section V(16)(a) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.

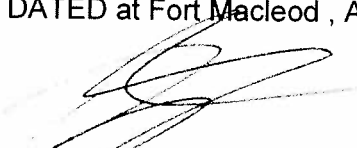
**AND WHEREAS**, by virtue of the foregoing, the above noted premises are hereby declared to be **Closed for Tenant Accommodation Purposes**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the occupants vacate the above noted premises on or before Sept 25<sup>th</sup> 2012.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Obtain a building permit to construct a location for worker accommodation if renovations are to be undertaken
  - b. Create and emergency egress in case of fire
  - c. Install smoke alarms
  - d. Install a proper bathroom with ventilation as outlined in the Minimum Housing and Health Standards
  - e. Install a proper kitchen which will be in compliance with the Minimum Housing and Health Standards
  - f. Increase the sleeping area floor space to a minimum of 49.5 ft<sup>2</sup> for each adult
  - g. Undertake a rodent control program
3. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; and this order is rescinded in writing; 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 Fort Macleod , Alberta, Sept 24th 2012.



Robert Rippin, REHO, B.Sc. CPHI (C)  
Executive Officer/ Public Health Inspector  
Environmental Public Health  
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 within ten (10) days after receiving the order to the Public Health Appeal Board located at 24<sup>th</sup> 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](http://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](http://www.health.alberta.ca/about/health-legislation.html)***

Cardston  
Community Health  
Box 1590  
Cardston, AB T0K 0K0  
Phone: 403-653-5231  
Fax: 403-653-2926

Coaldale  
Community Health  
Box 1000  
Coaldale, AB T1M 1M8  
Phone: 403-345-3000  
Fax: 403-345-2043

Crowsnest Pass  
Community Health  
Box 67  
Blairmore, AB T0K 0E0  
Phone: 403-562-5030  
Fax: 403-562-7379

Fort Macleod  
Community Health  
Box 520  
Fort MacLeod, AB T0L 0Z0  
Phone: 403-553-5363  
Fax: 403-553-2333

Lethbridge  
Community Health  
801 - 1 Avenue South  
Lethbridge, AB T1J 4L5  
Phone: 403-388-6689  
Fax: 403-328-5934

Pincher Creek  
Community Health  
Box 1685  
Pincher Creek, AB T0K 1W0  
Phone: 403-627-1230  
Fax: 403-627-5275

Raymond  
Community Health  
Box 251  
Raymond, AB T0K 2S0  
Phone: 403-752-5430  
Fax: 403-752-4655

Taber  
Community Health  
5009 - 56 Street  
Taber, AB T1G 1M8  
Phone: 403-223-4403  
Fax: 403-223-8733

Brooks  
Community Health  
220 - 4 Avenue West  
Brooks, AB T1R 0E9  
Phone: 403-362-2682  
Fax: 403-793-2772

Medicine Hat  
Community Health  
River Heights Professional Centre  
Suite 200, 88 Valleyview Dr. SW  
Medicine Hat, AB T1A 8N6  
Phone: 403-502-8205  
Fax: 403-502-8256