

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

To: David Underdahl
"the owner"

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

RE: 204 2 Street W, Coutts, AB, T0K 0N0

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. After investigation by the Village of Coutts and the County of Warner, it was determined that sewage back-up in the bathroom shower and toilet are due to extensive tree roots interfering with plumbing lines on the homeowners property.
- b. The back bedroom window only opens a few inches. The front bedroom window measures 13" by 28".
- c. There are two smoke alarms (one in the kitchen and one in the living area), but neither are functional.
- d. The kitchen electrical plug-in that is available for the refrigerator consists of a cord from the basement that is heavily taped with electrical tape, and the cord for the light fixture in the front entry way is heavily taped with electrical tape.
- e. There are several areas where flooring is in poor repair or missing, including the main living room, front entry way, the bathroom, and in the kitchen.
- f. The exterior stairs and deck at the front entrance do not have a railing.
- g. There is no mechanical or natural ventilation in the bathroom.
- h. The lock on the back exterior door is broken, and does not hold.
- i. The down-spout at the front of the house has fallen off.
- j. There is no screen on the window in the back bedroom.

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. After investigation by the Village of Coutts and the County of Warner, it was determined that sewage back-up in the bathroom shower and toilet are due to extensive tree roots interfering with plumbing lines on the homeowners property. This is in contravention of the *Housing Regulation* Section 3(2) which states that an owner shall ensure that the

- housing premises' plumbing system and facilities provided are free from defects and maintained in proper operating condition.
- b. The back bedroom window only opens a few inches. The front bedroom window measures 13" by 28". This is in contravention of the *Minimum Housing & Health Standards* Section 3(b) 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 (i) that windows shall provide unobstructed openings with areas not less than 0.35m² (3.8ft²), with no dimension less than 380mm (15").
 - c. There are two smoke alarms (one in the kitchen and one in the living area), but neither are functional. This is in contravention of the *Minimum Housing & Health Standards* Section 12, 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, smoke alarms shall be installed within the hallway, and (a) smoke alarms shall be operational and in good repair at all times.
 - d. The kitchen electrical plug-in that is available for the refrigerator consists of a cord from the basement that is heavily taped with electrical tape, and the cord for the light fixture in the front entry way is heavily taped with electrical tape. This is in contravention of the *Minimum Housing & Health Standards* Section 11, which states that every housing premises shall be supplied with electrical services and that outlets, switches, and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
 - e. There are several areas where flooring is in poor repair or missing, including the main living room, front entry way, the bathroom, and in the kitchen. This is in contravention of the *Minimum Housing & Health Standards* Section 5, 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. Section 5(a) 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 and (b) 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.
 - f. The exterior stairs and deck at the front entrance do not have a railing. This is in contravention of the *Minimum Housing & Health Standards* Section 3(c), 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.
 - g. There is no mechanical or natural ventilation in the bathroom. This is in contravention of the *Minimum Housing & Health Standards* Section 7(c), which states that all rooms containing a flush toilet and/ or bathtub or shower shall be provided with natural or mechanical ventilation.
 - h. The lock on the back exterior door is broken, and does not hold. This is in contravention of the *Minimum Housing & Health Standards* Section 3(a), which states that exterior windows and doors shall be capable of being secured.
 - i. The down-spout at the front of the house has fallen off. This is in contravention of the *Minimum Housing & Health Standards* Section 2(a), which states that the roof and exterior cladding of walls shall be maintained in a waterproof, windproof, and weatherproof condition.
 - j. There is no screen on window in the back bedroom. This is in contravention of the *Minimum Housing & Health Standards* Section 2(b)(iii), 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 December 31, 2014.
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Make necessary repairs to the plumbing system so that it functions properly.
 - b. Provide proper emergency egress in the bedrooms.
 - c. Ensure smoke alarms are functional.
 - d. Ensure electrical cords are in good condition, and not repaired with electrical tape.
 - e. Ensure all flooring is in good repair, and easy to clean.
 - f. Install a railing along the front exterior stairs and deck.
 - g. Install adequate ventilation in the bathroom.
 - h. Ensure there is a working lock on the back exterior door.
 - i. Ensure the down-spout at the front of the house is re-installed.
 - j. Ensure a window screen is provided on the window in the back bedroom.
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 Lethbridge, Alberta, December 18, 2014.

Kristen Dykstra, CPHI(C)
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 within ten (10) days after receiving the order to the Public Health Appeal Board located at Reception, Main Floor. Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813 Fax 780-422-0914.

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.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518, or by visiting: www.health.alberta.ca/about/health-legislation.html

Copy to: Village Office of Coutts

Lethbridge Community Health

801 1 Avenue South, Lethbridge, AB, Canada T1J 4L5

www.albertahealthservices.ca/eph.asp