

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

**To:** Willem Van Rootselaar & Willemina Van Rootselaar

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

**RE:** 2113 5 Avenue North – Basement Suite, Lethbridge 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. The ceiling above the sink in the washroom is not in good repair.
- b. The washroom shower surround is not securely attached to the wall and tub. The caulking around the tub is in disrepair.
- c. There are no smoke alarms present in the dwelling.
- d. The window in the main bedroom is cracked and broken.
- e. The water to the house had been shut off.
- f. There is mould on the wall in the closet of the main bedroom.
- g. The door to the suite was in disrepair.

**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 s4**

The ceiling above the sink in the washroom is not in good repair, which 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.

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

The washroom shower surround is not securely attached to the wall and tub and the caulking is in disrepair 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.

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

There are no smoke alarms present in the dwelling 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.

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

The window in the main bedroom is cracked and broken which is in 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.

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

The water to the house had been shut off which is in contravention of section IV(8)(d) of the Minimum Housing and Health Standards which states that: Every owner of a housing premises shall ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.

**f. Housing Regulation AR 173/99 s5**

There is mould on the wall in the closet of the main bedroom which is in 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.

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

The door to the suite was in disrepair which is in 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.

**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 October 19, 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. Ensure the ceiling in the washroom is in a state of good repair.
  - b. Ensure the shower surround is in good repair and securely attached to the wall and tub. Ensure that the caulking around the tub forms a watertight seal with the wall.

- c. Ensure smoke alarms are installed in accordance with the Minimum Housing and Health Standards.
  - d. Ensure the window in the main bedroom is in a state of good repair, weatherproof, windproof and waterproof.
  - e. Ensure that as long as there are tenants in the premise that the utilities (water, power and gas) are in continuous supply.
  - f. Ensure that the source of moisture for the mould growth is found and eliminated and that any mouldy or water damaged building materials are removed and repaired.
  - g. Ensure the door to the suite is maintained in good repair and is windproof, weatherproof and waterproof.
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 a re-inspection takes place**; 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, October 19, 2012

Jenny Andrews, BSc., BEH(AD), 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 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).*

*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](http://www.qp.gov.ab.ca).*

*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)*

<p>Cardston Community Health Box 1590 Cardston, AB T0K 0K0 Phone: 403-653-5231 Fax: 403-653-2926</p>	<p>Coaldale Community Health Box 1000 Coaldale, AB T1M 1M8 Phone: 403-345-3000 Fax: 403-345-2043</p>	<p>Crowsnest Pass Community Health Box 67 Blairmore, AB T0K 0E0 Phone: 403-562-5030 Fax: 403-562-7379</p>	<p>Fort Macleod Community Health Box 520 Fort MacLeod, AB T0L 0Z0 Phone: 403-553-5363 Fax: 403-553-2333</p>
<p>Lethbridge Community Health 801 - 1 Avenue South Lethbridge, AB T1J 4L5 Phone: 403-388-6689 Fax: 403-328-5934</p>	<p>Pincher Creek Community Health Box 1685 Pincher Creek, AB T0K 1W0 Phone: 403-627-1230 Fax: 403-627-5275</p>	<p>Raymond Community Health Box 251 Raymond, AB T0K 2S0 Phone: 403-752-5430 Fax: 403-752-4655</p>	<p>Taber Community Health 5009 - 56 Street Taber, AB T1G 1M8 Phone: 403-223-4403 Fax: 403-223-8733</p>
<p>Brooks Community Health 220 - 4 Avenue West Brooks, AB T1R 0E9 Phone: 403-362-2682 Fax: 403-793-2772</p>	<p>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</p>		

Confirmation of an oral order issued to **Willem Van Rootselaar**, at October 12, 2012.