

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

**To:** BYRON FREDERICK JOHN NEU

AND

KATHRYN ELISABETH COPE

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

**RE:** 2403-22 Street, Coaldale

**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. Venting in basement floor not in good repair.
- b. Bathroom upstairs has no ventilation.
- c. Bathroom downstairs has no ventilation.

**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:

**Housing Regulation AR 173/99 s4**

Venting in basement floor not in good repair which is in 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.

**Housing Regulation AR 173/99 s4**

Bathroom upstairs has no ventilation 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.

**Housing Regulation AR 173/99 s4**

Bathroom downstairs has no ventilation 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.

**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 19, 2011.
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 venting in basement floor is either repaired or removed if it is not functional.
  - b. Ensure bathroom upstairs has ventilation.
  - c. Ensure bathroom downstairs has ventilation.
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, September 19, 2011



Geoffrey Tomko, 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)*