

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

**To:** **Ed Wallace**  
"the Owner"

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

**RE:** Those housing premises located in Municipal District of Pincher Creek, Alberta and municipally described as: Sky-Line Outpost, NW 1-10-2-W5M Municipal District of Pincher Creek

**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. No electricity. Electrical fire has destroyed electrical panel and may have affected the entire electrical system.
- b. No hot and cold running water safe for human consumption.
- c. Railing to the upstairs does not have adequate spaces between guards.
- d. Some exterior sliding doors on second floor have no decking or platform, or railing system at all on exterior of building.
- e. Exterior decking on the South side of second floor does not have a railing
- f. Bathrooms not equipped with any form of ventilation.
- g. Carpet in some suites was torn, dirty and in disrepair.
- h. No form of heat in any suite except in main suite.

**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. No electricity which is in contravention of section IV(11) of the Minimum Housing and Health Standards which states that: Every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
- b. No hot and cold running water safe for human consumption which is in contravention of section 3(1)(b)(iii) of the Housing Regulation which states that: an owner shall ensure that the occupants of the housing premises are supplied with adequate running hot and cold water that is safe for human consumption.
- c. Railing to the upstairs does not have adequate spaces between guards 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.

- d. Sliding doors on second floor have no decking or platform or railing system on exterior of building 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.
- e. Exterior deck on second floor does not have a railing 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.
- f. Bathrooms not equipped with any form of ventilation 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.
- g. Carpet in some suites was torn, dirty and in disrepair 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.
- h. No form of heat in any suite except in main suite which is in contravention of Section 3(1)(b)(ii) of the Housing Regulation which states that: an owner shall ensure that the occupants of the housing premises are supplied with adequate heating facilities that are capable of maintaining a habitable indoor temperature, if the housing premises are used or intended for use during all or part of the period from September 1 in one year until May 1 in the following year.

**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 20, 2015
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Electrical service must be re-established to premise. Prior to re-establishing service an electrician or electrical inspector must inspect the electrical panel and entire electrical system of the premise to ensure it complies with electrical code and is safe. A copy of the inspection report must be forwarded to Alberta Health Services.
  - b. All suites and bathrooms of the premise must be supplied with hot and cold running water safe for human consumption.

- c. Railing on the stairs leading to the second floor must be equipped with guard rails and guards spaced in accordance with the Alberta Building Code.
  - d. Sliding doors on the second floor that have no deck or railing on the exterior must be fitted with a deck and/or railing in compliance with the Alberta Building Code.
  - e. Exterior deck on second floor must be fitted with railings and guards in compliance with the Alberta Building Code
  - f. All bathrooms must be provided with a means of ventilation either by a mechanical ventilation fan exhausted to the outside or a window compliant with the Alberta Building Code.
  - g. All carpets must be cleaned and repaired/replaced so they are well maintained and easily cleaned.
  - h. If the premise is intended to be occupied between September 1 in one year until May 1 in the following year, adequate heating facilities compliant with the Alberta Building Code must be installed in every suite. The heating facilities must be capable of maintaining an indoor temperature of 22<sup>0</sup>C.
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 Pincher Creek, Alberta, August 17, 2015

Confirmation of a verbal order issued to Ed Wallace and Heather Case on August 17, 2015

Mike Swystun, 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 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, Telus Plaza North Tower  
10025 Jasper Avenue NW

Order of an Executive Officer – Closed for Tenant Accommodation – Order to Vacate

RE: The housing premise located in the Municipal District of Pincher Creek and municipally described as: Sky-Line Outpost, NW 1-10-2-W5M Municipal District of Pincher Creek

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Edmonton, Alberta, T5J 1S6  
Phone: 780-427-2813  
Fax: 780-422-0914  
Email: [health.appealboard@gov.ab.ca](mailto:health.appealboard@gov.ab.ca)

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

#### 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 at 780-427-4518 or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)

Template revised June 15, 2015

Copy: Municipal District of Pincher Creek – Roland Milligan

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Environmental Public Health

Box 968 Pincher Creek, Alberta, Canada T0K 1W0

[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)