

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

To: Macek Ayuen Jacob also known as “Hanna Jacob”
“the Owner”

And To: All Occupant(s) of the following Housing premises:
Donna Lees, Glenn A. Packard

RE: Those housing premises located in Brooks, Alberta and municipally described as:
18 Greenbrook Village E

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. The Owner has refused to install the smoke alarm by the timeline specified in the work order and has communicated with the local health authority that she will not proceed with any repairs as long as the unit remains occupied.
- b. Smoke alarm is not installed in the hallway between the bedrooms and kitchen.
- c. Guardrails are missing on the perimeter of the deck over two feet causing a fall hazard. Guardrails are also missing on stairs attached to the deck.
- d. The smaller bedroom does not have a window that meets emergency egress requirements. The window opens no wider than 9.5 to 10 inches.
- e. Enclosed porch added onto mobile home is sealed with plastic and insulation and some moisture is trapped inside the plastic and insulation.
- f. Enclosed porch added onto mobile home is sealed with plastic and insulation and some moisture is trapped inside the plastic and insulation.
- g. Exterior cladding around roof edge is missing and letting go along the south side of the trailer and the east facing fascia is drooping.

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. The Owner has refused to install the smoke alarm by the timeline specified in the work order and has communicated with the local health authority that she will not proceed with any repairs as long as the unit remains occupied. This contravenes section 62(1) of the Public Health Act which states that: If a person to whom an order is directed under section 62 fails to carry out the order within the time limited by it in the case of an order that is not appealed, or within the time limited by the Board in the case of an order that is

appealed to the Board, the executive officer or a person appointed by the executive officer may, together with any persons that are necessary, enter the public place or private place and carry out the order; and section 73(1): A person who contravenes this Act, the regulations, an order under section 62 or an order of a medical officer of health or physician under Part 3 is guilty of an offence.

- b. Smoke alarm is not installed in the hallway between the bedrooms and kitchen. This contravenes 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; and section IV(12)(a): Smoke alarms shall be operational and in good repair at all times.
- c. Guardrails are missing on the perimeter of the deck over two feet causing a fall hazard. Guardrails are also missing on stairs attached to the deck. This contravenes sections III(3)(c)(i) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, 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. The smaller bedroom does not have a window that meets emergency egress requirements. The window opens no wider than 9.5 to 10 inches. This contravenes section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: For buildings of 3 storeys 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; and section III(3)(b)(ii): Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
- e. Enclosed porch added onto mobile home is sealed with plastic and insulation and some moisture is trapped inside the plastic and insulation. This contravenes 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.
- f. Enclosed porch added onto mobile home is sealed with plastic and insulation and some moisture is trapped inside the plastic and insulation. This contravenes section III(2)(a) of the Minimum Housing and Health Standards which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- g. Exterior cladding around roof edge is missing and letting go along the south side of the trailer and the east facing fascia is drooping. This contravenes section III(2)(a) of the Minimum Housing and Health Standards which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.

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 February 5, 2024.

2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Comply with the written orders of an executive officer.
 - b. Install an operational smoke alarm in the hallway between the bedrooms and kitchen.
 - c. Install vertical guardrails on the steps and deck in accordance with Building Code. Openings in these guards cannot exceed 4 inches in diameter.
 - d. Replace window with a window that opens to a minimum of 3.8 square feet with no dimensions of less than 15 inches, that opens without obstruction and that does not require tools or special knowledge to open.
 - e. Hire a certified general contractor to address moisture accumulation inside the plastic and insulation of the enclosed porch. Replace any water damaged building material, as needed.
 - f. Hire a certified general contractor to inspect the roof for any leaks and/or ventilation problems. Seal up and repair roof leaks to prevent water infiltration that could lead to water damage.
 - g. Ensure cladding and fascia are installed and maintained.

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 Brooks, Alberta, December 22, 2023.
Confirmation of a verbal order issued to Ayuen Macek on December 22, 2023.

Executive Officer
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 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, ATB Place North Tower
10025 Jasper Avenue NW

Edmonton, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting the Public Health Appeal Board or visiting their website.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Health Legislation and regulations are available for purchase. Please contact Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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Environmental Public Health – South Zone

440 3rd Street East, Brooks, AB T1R 1B3

www.ahs.ca/eph