

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

To: Tim Sietz
Capreit Apartments Inc
"the Owners"

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

RE: Those housing premises located in Medicine Hat, Alberta and municipally described as:
181 Fairchild Street SW

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. Various light fixtures throughout the facility were either not working, lights were missing, or the lights flickered.
- b. The wall covering around the stove was melting and lifting.
- c. The kitchen cupboards were all missing handles and drawer pulls.
- d. The kitchen countertop was peeling.
- e. The landlord supplied washing machine was partially filled with dirty water. The main cabinet that the washing machine tub sits in was missing.
- f. The hot water faucet at the sink in the main bedroom did not work.
- g. The plumbing in the main bedroom/bathroom sink leaked into the cabinet below and was not properly connected to the sewage disposal system.
- h. The back door of the house had a tree growing up through the stairs blocking the entrance and egress.
- i. Throughout the house there were tiny red bugs. These were noted in the kitchen, living room, and bedroom areas.
- j. The smoke detector in the main bedroom was missing.

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. Various light fixtures throughout the facility were either not working, lights were missing, or the lights flickered which is in contravention of the Minimum Housing and Health Standards section (11) which states outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
- b. The wall covering around the stove was melting and lifting which is in contravention of the Minimum Housing and Health Standards section 5(b) which states 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.

- c. The kitchen cupboards were all missing handles and drawer pulls which is in contravention of the Minimum Housing and Health Standards section 1(c) which states building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- d. The kitchen countertop was peeling which is in contravention of the Minimum Housing and Health Standards section 14 which states every housing premises shall be provided with a food preparation area which includes (a) (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.
- e. The landlord-supplied washing machine was partially filled with dirty water. The cabinet that the washing machine tub sits in was missing which is in contravention of the Housing Regulations section (5) which states 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.
- f. The hot water faucet at the sink in the main bedroom did not work which is in contravention of the Minimum Housing section 7(a) which states the washbasins and bathtub or shower shall be supplied with potable hot and cold running water.
- g. The plumbing in the main bedroom sink leaked into the cabinet below and the sewage system was not working properly which is in contravention of the Minimum Housing and Health Standards section 6 (c) which states all plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- h. The back door of the house had a tree growing up through the stairs blocking the entrance and egress which is in contravention of the Minimum Housing and Health Standards section 3 (c) which states stairs or porches, including all treads and risers are not maintained in good repair. Stairs or porches, including all treads, risers, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.
- i. Throughout the house there were tiny red bugs which is in contravention of the Minimum Housing and Health Standards section 16 (a) which states the owner shall ensure that the housing premises are free of insect and rodent infestations.
- j. The smoke detector in the main bedroom was missing which is in contravention of the Minimum Housing and Health Standards section 12 which states smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite.

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 August 7, 2023.
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 all the light fixtures in the premises are in good working order.

- b. Repair or replace the wall covering near the stove so it is in good repair, non-absorbent to moisture, easily cleanable and of a heat-resistant material.
 - c. Repair or replace the kitchen cupboards so they are equipped with handles or pulls so they can be easily opened.
 - d. Repair or replace the kitchen counter so it is in good repair, smooth, non-porous and easy to clean.
 - e. Repair or remove the damaged washing machine. If a machine is provided it must be in good working order.
 - f. Repair the back sink and ensure the plumbing is free of leaks and properly connected.
 - g. Remove the tree blocking the back egress and ensure the stairs are in good repair.
 - h. Hire a certified pest control operator to assess and treat for pests. A copy of this report is to be submitted to this office.
 - i. Ensure a functional smoke alarm is installed and operational in the main 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 Medicine Hat, Alberta, July 18, 2023
Confirmation of a verbal order issued to Tim Seitz on July 17, 2023.

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, 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>.

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

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