

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

To: Govind Reddy; & Dallas MacDougall

And To: All Occupants of the following Housing premises:

RE: Those housing premises located in Lethbridge, Alberta and municipally described as:
226 McGill Boulevard W – Unit C

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 front door was severely damaged. It was no longer weatherproof or pest-proof.
- b. The back door was damaged and did not close properly. This is creating gaps which could let in the cold air and pests.
- c. The front door, back door and kitchen window were all no longer capable of being properly secured.
- d. Extensive finishing issues were noted throughout home. Including, but is not limited to:
 - i) Very large gouges in the flooring on the main floor.
 - ii) Missing trim around the front door and back door.
 - iii) Bare unfinished wood toe kick under kitchen counter.
 - iv) Baseboards missing in multiple areas throughout home.
 - v) Broken and loose transition strip between kitchen and living room.
 - vi) Numerous holes and gashes in walls throughout home.
 - vii) Many finishes in this home have been rendered uncleanable due to pieces of broken glass, rocks, branches and sparkling materials glued to them.
 - viii) Missing trim around upstairs doors.
 - ix) Peeling/damaged flooring in the corner of the kitchen.
 - x) Portions of flooring no longer connected to the stairs.
 - xi) Improperly fitted flooring in bedroom causing a large gap on the edge where the flooring meets the wall.
 - xii) Additional gaps in improperly installed flooring upstairs.
 - xiii) A massive portion of the wall missing in one of the bedrooms.
- e. There were multiple major finishing issues in the bathroom. This includes, but is not limited to:

- i) The tub surround was severely cracked and held together with tape.
 - ii) There was no proper floor covering present, with the subfloor exposed.
 - iii) The tub was not sufficiently sealed to the floor.
 - iv) The bathroom vanity mirror had been completely shattered.
 - v) The bathroom counter/cabinet was broken and in an uncleanable state.
 - vi) There were missing or improperly installed baseboards in bathroom.
- f. The toilet was missing the manufacture's designed tank lid that properly fits the tank. Currently there is a severely ill-fitted/mis-matched lid on the toilet tank.
- g. The bathtub was full of hardened paint and was not in good condition.
- h. The smoke alarm in upstairs hall was not operational.
- i. Heating vent covers were missing in multiple rooms.
- j. The stair railing was no longer affixed to the wall.
- k. The switch plates were missing or broken throughout the home. In addition to this, the exterior outlet cover was broken.
- l. The cloth dryer was not vented properly.
- m. The bathroom fan cover was hanging off and the fan did not appear to be operational.
- n. The exterior soffit and fascia were in poor condition.
- o. There are some exterior finishing issues on the wall near the back door. There was a large chunk of parging missing revealing gaps in the foundation.
- p. One of the bedroom's windows was missing the handle of the opening mechanism.
- q. There was currently a major mouse infestation. All cupboards were full of mouse droppings.
- r. There were no insect screens on any openable windows.

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 front door was severely damaged. It was no longer weatherproof or pest-proof. This 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.
- b. The back door was damaged and did not close properly. This is creating gaps which could let in the cold air and pests. This 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.

- c. The front door, back door and kitchen window were all no longer capable of being properly secured. This is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- d. Extensive finishing issues were noted throughout home. This 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.
- e. There were multiple major finishing issues in the bathroom. This 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.
- f. The toilet was missing the manufacture's designed tank lid that properly fits the tank. Currently there is a severely ill-fitted/mis-matched lid on the toilet tank. This is in contravention of section IV(6)(a) of the Minimum Housing and Health Standards which states that: The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
- g. The bathtub was full of hardened paint and was not in good condition. This 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.
- h. The smoke alarm in upstairs hall was not operational. This is in contravention of section IV(12)(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.
- i. Heating vent covers were missing in multiple rooms. This is in contravention of section IV(8)(a)(i) of the Minimum Housing and Health Standards which states that: All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be *capable* of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of at least 22°C(71°F), or maintained at a temperature of at least 22°C(71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- j. The stair railing was no longer affixed to the wall. This 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.

- k. The switch plates were missing or broken throughout the home. In addition to this, the exterior outlet cover was broken. This 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.
- l. The cloth dryer was not vented properly. This 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.
- m. The bathroom fan cover was hanging off and the fan did not appear to be operational. This is in contravention of section 3(1)(a)(iii) of the Housing Regulation which states that: an owner shall ensure that the housing premises are in good repair.
- n. The exterior soffit and fascia were in poor condition. This is in contravention of 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.
- o. There are some exterior finishing issues on the wall near the back door. There was a large chunk of parging missing revealing gaps in the foundation. This is in contravention of 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.
- p. One of the bedroom's windows was missing the handle of the opening mechanism. This 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.
- q. There was currently a major mouse infestation. All cupboards were full of mouse droppings. This is in contravention of section V(16)(a) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.
- r. There were no insect screens on any openable windows. This is in contravention of section III(2)(b)(iii) of the Minimum Housing and Health Standards which states that: During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.

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 June 19, 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. Completely replace the front door.
 - b. Replace or thoroughly repair the back door.
 - c. Ensure there are suitable locking mechanisms on both the exterior doors as well as the openable ground floor windows (eg. kitchen window).
 - d. Replace all damaged flooring (floorboards, stair coverings, transition strips, etc) in unit.
 - e. Replace all missing trim, baseboards and cabinet toe kicks throughout the unit.
 - f. Ensure all finishes are repaired/replaced and are easily cleanable.
 - g. Replace the tub surround.
 - h. Completely replace the bathroom floor and any missing baseboards.
 - i. Ensure all plumbing fixtures are fully sealed against moisture infiltration.
 - j. Replace the bathroom vanity and mirrors.
 - k. Replace the toilet or find a proper lid for the toilet tank.
 - l. Replace the tub or ensure that it is restored to a condition that is easily cleanable.
 - m. Ensure smoke alarm is working properly.
 - n. Ensure all vent covers are replaced.
 - o. Ensure railing is properly affixed to the wall.
 - p. Ensure all electrical outlet covers and switch plates are installed and in good condition (including the exterior outlet).
 - q. Ensure the dryer is properly vented outside via an intact dryer tube.
 - r. Ensure the bathroom fan is properly covered and works as intended.

- s. Ensure all windows open and close properly and ensure opening mechanisms work as intended.
 - t. Ensure mouse infestation is eradicated and ensure home is fully pest-proof.
 - u. Ensure all openable windows have window screens.
 - v. Ensure exterior finishes are repaired.
 - w. Ensure soffit and fascia are repaired.
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, June 19, 2023.

Confirmation of a verbal order issued to Dallas MacDougall and the Tenant on June 15, 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 contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Lethbridge • Lethbridge Community Health • South Zone

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www.albertahealthservices.ca/eph.asp