

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

To: **Govind Reddy**
 "the Owner"
 &

 Sherida Scott
 "the Property Manager"

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 D

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 trim was broken off due to a forced entry into the premises.
- b. Both upstairs windows did not have trim resulting in exposed insulation in the gap between the window frame and jack stud.
- c. One of the upstairs windows appears to have a bullet hole in the glass.
- d. The front door had been so severely damaged that it was not capable of being secured. The door frame was in a state of disrepair such that there was nothing for the deadbolt to latch into.
- e. There was no flooring transition strip between the back door and the flooring of the kitchen/ living room area. This created a gap which collects dirt and debris and cannot be properly cleaned.
- f. Visible daylight could be seen along the bottom threshold of the back door when the door was closed, indicating insufficient weatherproofing.
- g. Numerous finishes throughout the premises were in disrepair including but not limited to:
 - i) Some baseboards (eg. in the bathroom) were not secured to the wall.
 - ii) One of the upstairs bedroom doors had most of the trim broken off due to a forced entry.

- iii) There was a large chunk of wall finishing missing from the step inside the walk-in closet. This revealed a large hole that is reported to be frequently used by mice.
 - iv) There is a large hole in a bedroom wall near the bedroom door. This may have been part of the heating system at one time. It is now full of garbage and debris and is regularly being used by mice.
 - v) General holes in walls (eg. hole in bedroom wall from doorknob).
 - vi) Very large hole in upstairs hall closet, which likely served as a plumbing access hole. It was not properly covered with an access panel. This hole was reported to also be used by mice.
 - vii) There are gaps around the steps to the main living room area. Reportedly, this was where the mice tend to hide most often.
 - viii) There are large gaps and holes in the walls and cupboards of the kitchen area. Evidence of mouse droppings were identified here.
 - ix) There were numerous areas of the poorly installed flooring that created uncleanable gaps, generally along flooring edging and in corners. These were all filling with dirt and debris.
 - x) An edge of the tub surround in the bathroom was not sealed and is not waterproof.
- h. A furnace safety check was conducted on February 7, 2024 by an ATCO Service Technician, which indicated an issue with the furnace (ie. the fan control needs to be replaced).
- i. There were missing insect screens on some of the openable windows.
- j. The exterior finishes around the back door consist of bare OSB wood. The siding was never installed here.
- k. The sealing along the back of the kitchen counter was cracked in many areas creating non-waterproof gap.
- l. There was exposed, unfinished particle board underneath the kitchen countertop.
- m. There was evidence of a significant mouse infestation.
- n. There were piles of furniture and mattresses outside. This may be contributing to the mouse issues.
- o. The exterior overhang over the back door indicated evidence of rot. A hole in the corner of underside of the overhang was visible due to water damage.
- p. The bathroom tub faucet is in critical disrepair. Water primarily shoots out of a missing faucet handle instead of coming out of the spout.

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 trim was broken off due to a forced entry into the premises. 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. Both upstairs windows did not have trim resulting in an exposing insulation in the gap between the window frame and jack stud. 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. One of the upstairs windows appears to have had a bullet hole in the glass. 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.
- d. The front door had been so severely damaged that it was not capable of being secured. The door frame was in a state of disrepair such that there was nothing for the deadbolt to latch into. 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.
- e. There was no flooring transition strip between the back door and the flooring of the kitchen/ living room area. This created a gap which collects dirt and debris. 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.
- f. Visible daylight could be seen along the bottom threshold of the back door when the door was closed, indicating insufficient weatherproofing. 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;
- g. Numerous finishes throughout the premises were in disrepair. 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.
- h. A furnace safety check was conducted on the February 7, 2024 by an ATCO Service Technician, which indicated an issue with the furnace (ie. the fan control needs to be replaced). 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.

- i. There were missing insect screens on some of the 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.
- j. The exterior finishes around the back door consist of bare OSB wood. The siding was never installed here. 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.
- k. The sealing along the back of the kitchen counter was cracked in many areas creating non-waterproof gap. This is in contravention of section III(5)(b) of the Minimum Housing and Health Standards, which states that: 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.
- l. There was exposed, unfinished particle board underneath the kitchen countertop. This is in contravention of section III(5)(b) of the Minimum Housing and Health Standards, which states that: 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.
- m. There was evidence of a significant mouse infestation. 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.
- n. There were piles of furniture and mattresses outside. This may be contributing to the mouse issues. 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.
- o. The exterior overhang over the back door indicated evidence of rot. A hole in the corner of underside of the overhang was visible due to water damage. 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.

AND

In contravention of Section III(1)(c) of the Minimum Housing and Health Standard, which states that: Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.

- p. The bathroom tub faucet is in critical disrepair which 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 pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating 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 29, 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. Replace the broken and missing door trim around the front door.
 - b. Replace the missing window trim from both upstairs windows.
 - c. Repair or replace the window with a hole in it.
 - d. Ensure the front door frame is reconstructed so that it can be properly secured.
 - e. Ensure there is a suitable flooring transition at the backdoor so no gaps are present and is easily cleanable.
 - f. Ensure the back door has proper weather stripping so that it is weatherproof.
 - g. Ensure all damaged or incomplete finishes are properly repaired or replaced.
 - h. Ensure the furnace is properly serviced and works safely as intended.
 - i. Ensure all openable windows have intact insect screens. *This must be addressed by spring 2024, but is not required to rescind the Order.*
 - j. Ensure the exterior finishes near the back door are completed.
 - k. Ensure the back of the kitchen counter is resealed and waterproof.
 - l. Seal the edge under the countertop to ensure it is waterproof and easily cleanable.
 - m. Address the mouse concerns. This will likely require traps and sealing various areas inside and outside the building. Adjacent units will need to be checked as well.
 - n. Remove any furniture, mattresses, garbage or other unnecessary debris from the exterior that may be contribute to pest shelter.
 - o. Repair the damaged exterior overhang.
 - p. Repair the bathtub faucet and ensure it works as intended.
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, February 12, 2024.
Confirmation of a verbal order issued to Sherida Scott and the Tenants on February 7, 2024.

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