

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

To: Tomi Smith
"the Owner"

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

RE: Those housing premises located in Warner, Alberta and municipally described as: 306 2 Street – 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. Substantial water damage was observed to the laminate flooring in the washroom. The floor covering the upper left corner of the bathroom was lifted, revealing evidence of water damage. The core board in this area crumbled when handled.
- b. The presence of a mold-like substance was observed on the surface of the side wall behind the couch in the living room.
- c. The presence of a fuzzy mold-like substance along the edge of the living room window's wooden frame.
- d. Landlord was denied access was on multiple occasions to allow for the repairs to be completed, as per the requirements of the Residential Tenancy Act.

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. Substantial water damage was observed to the laminate flooring in the washroom. The floor covering the upper left corner of the bathroom was lifted, revealing evidence of water damage. The core board in this area crumbled when handled. This is in contravention of Sections III 1(c) and 5. of the Minimum Housing and Health Standards which states as follows: *"Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. All walls, windows, ceilings, floors and flooring 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."*
- b. The presence of a mold-like substance was observed on the surface of the side wall behind the couch in the living room. This is in contravention of Sections III 1(c) and 5. of the Minimum Housing and Health Standards which states as follows: *"Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. All walls, windows, ceilings, floors and flooring 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."*

- c. The presence of a fuzzy mold-like substance along the edge of the living room window's wooden frame. This is in contravention of Sections III 1(c) and 5. of the Minimum Housing and Health Standards which states as follows: *"Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced. All walls, windows, ceilings, floors and flooring 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."*
- d. Landlord was denied access was on multiple occasions to allow for the repairs to be completed, as per the requirements of the Residential Tenancy Act. This is in contravention of Section 17 V. 17. Of the Minimum Housing and Health Standards which states: *"Every tenant shall allow for access for repairs or pest control treatment as per the requirements of the Residential Tenancy Act"*.

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 May 15th, 2025.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remove and replace the water damaged flooring materials, assess the surrounding area and complete the same as needed.
 - b. Remove and replace the affected areas if cleaning is not sufficient to remove the substance from the surface area.
 - c. Clean and sanitize the affected areas and complete any repairs or adjustments needed to prevent growth from reoccurring.
 - d. Complete the above noted repairs once the premises have been vacated.
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, April 15th 2025.

Confirmation of a verbal order issued to William Foxgrey on April 14th, 2025 at 10:10 AM, Tomi Smith on April 14th, 2025 at 10:14 AM.

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>.

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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100 – 200 4 Avenue S, Lethbridge, Alberta, Canada T1J 4C9

<https://www.ahs.ca/eph>