

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

To: *Nadine I Raber* – Registered Owner

Jennifer Eccles – Tenant

John Salm – Tenant

Selena Schorr – Tenant

RE: **441 – 1 Street NW, Medicine Hat, Alberta T1A 6H6**
Plan 5094JK; Block E; Lot 10

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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 drain plumbing for the kitchen sink is disconnected.
- b. The drain plumbing for the master bedroom sink is disconnected.
- c. The jetted tub, when in use, profusely leaks water into the laundry room.
- d. There is mould growth on the walls of the double shower stalls.
- e. A few handles are missing from kitchen cupboards.
- f. There are no smoke alarms on any of the three levels.
- g. The sliding patio door is broken and its locking mechanism does not work.
- h. A handrail is not provided for the stairs leading to the third level.
- i. Two exterior doors do not lock.
- j. The dishwasher does not work properly; reportedly, detergent pods only partially dissolve.

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 drain plumbing for the kitchen sink is disconnected 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... shall be maintained in a proper operating condition.”
- b. The drain plumbing for the master bedroom sink is disconnected 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... shall be maintained in a proper operating condition.”
- c. The jetted tub, when in use, profusely leaks water into the laundry room 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... shall be maintained in a proper operating condition.”

- d. There is mould growth on the walls of the double shower stalls which is in contravention of section 5(2) of the *Housing Regulation, Alberta Regulation 173/1999 With amendments up to and including Alberta Regulation 38/2018*, 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.”
- e. A few handles are missing from kitchen cupboards which 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. There are no smoke alarms on any of the three levels which is in contravention of 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.”
- g. The sliding patio door is broken and its locking mechanism does not work which is in contravention of section III of the *Minimum Housing and Health Standards* which states that: “The owner shall ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof, and weatherproof condition.”
- h. A handrail is not provided for the stairs leading to the third level which 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.”
- i. Two exterior doors do not lock which 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.”
- j. The dishwasher does not work properly; reportedly, detergent pods only partially dissolve which is in contravention of section 5(2) of the *Housing Regulation, Alberta Regulation 173/1999 With amendments up to and including Alberta Regulation 38/2018*, 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.”

AND WHEREAS, by virtue of the foregoing, the above noted premises is hereby declared to be **Closed for Tenant Accommodation Purposes**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the occupant(s) vacate the above noted premises on or before May 22, 2019.

2. That the owner(s) immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Repair drain plumbing for both the kitchen and master bedroom sinks.
 - b. Troubleshoot the problem respecting the jetted tub, and conduct repairs accordingly.
 - c. Address and correct any and all moisture issues in the double shower stalls, and then professionally and safely conduct remediation work for the mould.
 - d. Install handles for the kitchen cupboards.
 - e. Install at least one smoke alarm on each level.
 - f. Repair or replace the sliding patio door.
 - g. Install the needed handrail.
 - h. Install locks on the exterior doors.
 - i. Repair or replace the dishwasher.

3. That until such time as the work referred to in paragraph 2 is completed to the satisfaction of the undersigned, or an Executive Officer of Alberta Health Services, the above noted premises shall remain vacant, secured from unauthorized entry, and **closed for tenant accommodation**.

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, April 23, 2019

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: <http://www.health.alberta.ca/about/PHAB.html>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Health Legislation and regulations are available for purchase. Please contact Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or www.qp.gov.ab.ca.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: www.health.alberta.ca/about/health-legislation.html

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www.albertahealthservices.ca/esp.asp