

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

To: YK Tam

And To: All Occupants of the following Housing premises:

RE: Those housing premises located in Lethbridge, Alberta and municipally described as:
638 8 Street S – Unit 5

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. Flooring finishes on the main level have cracks, have holes, have burns, have cuts, and are peeling.
- b. There are holes in multiple walls.
- c. Stairs to the basement have had the carpet ripped off revealing strips of carpet tacks on every step.
- d. Sections of door trim around the back door have broken off.
- e. Some of the light cover panels in the kitchen are broken, missing or very dirty on the inside, indicating a plumbing leak.
- f. Bathroom door is broken. Door cannot securely close.
- g. Parts of the refrigerator are held together with duct tape.
- h. Upstairs toilet has a large crack on the side that periodically leaks.
- i. Surface mould has developed on the ceiling of the bathroom above the shower.
- j. Much of the carpet in this home is so disgusting and soiled that it is incapable of being properly cleaned.
- k. Stove is not in good condition and does not work as intended.
- l. Many openable windows are missing insect screens.

- m. Air conditioning unit in upstairs bedroom is precariously installed with duct tape and cardboard.
- n. Basement floor is covered in animal excrement.
- o. Multiple used mattresses observed downstairs indicating that the basement is occasionally used as a bedroom. There are no suitable egress 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. Flooring finishes on the main level have cracks, have holes, have burns, have cuts, and are peeling 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.
- b. There are holes in multiple walls 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.
- c. Stairs to the basement have had the carpet ripped off revealing strips of carpet tacks on every step 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.
- d. Sections of door trim around the back door have broken off 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.
- e. Some of the light cover panels in the kitchen are broken, missing or very dirty on the inside, indicating a plumbing leak 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. Bathroom door is broken. Door cannot securely close which 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.

- g. Parts of the refrigerator are held together with duct tape which is in contravention of section IV(14)(a)(iv) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4°C.
- h. Upstairs toilet has a large crack on the side that periodically leaks which is in contravention of section IV(6)(c) of the Minimum Housing and Health Standards which states that: All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- i. Surface mould has developed on the ceiling of the bathroom above the shower which is in contravention of section III(1)(c) of the Minimum Housing and Health Standards which states that: Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- j. Much of the carpet in this home is so disgusting and soiled that it is incapable of being properly cleaned 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.
- k. Stove is not in good condition and does not work as intended which is in contravention of section IV(14)(a)(iv) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4°C
- l. Many openable windows are missing insect screens which 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.
- m. Air conditioning unit in upstairs bedroom is precariously installed with duct tape and cardboard which 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.
- n. Basement floor is covered in animal excrement which 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. Multiple used mattresses observed downstairs indicating that the basement is occasionally used as a bedroom. There are no suitable egress windows which is in contravention of section III(3)(b) of the Minimum Housing and Health Standards which

states that: For buildings of 3 stories or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge.

And

Which is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).

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 July 30, 2020.
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 all damaged flooring on main level.
 - b. Repair and refinish all damaged walls.
 - c. Replace finish on the stairs to the basement. However, ensure that the excrement and filth ground into the bare wood is thoroughly cleaned and sanitized.
 - d. Repair/replace the door trim..
 - e. Replace all broken light panels and ensure there is no continuing plumbing issue above.
 - f. Replace broken bathroom door.
 - g. Repair or replace broken refrigerator.
 - h. Replace broken toilet.
 - i. Clean sanitize surface mould and ensure bathroom fan is working properly.
 - j. Remove all severely soiled carpet (eg. Stairs, bedroom, etc).
 - k. Replace old broken stove with a stove that is in proper operating condition (eg. 4 working burners and a working oven).
 - l. Ensure all openable windows have properly installed, intact screens.
 - m. Ensure air conditioning unit is removed or properly installed.
 - n. Ensure all belongings and floor finishes in the basement are remove and properly disposed of. This basement will require extensive cleaning and sanitizing. A professional cleaning company may be necessary.
 - o. People are continually utilizing the basement for sleeping purposes, as such, egress windows must be installed.
3. That the Owner secure the premises against unwanted entry after the tenants have vacated.

4. 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, July 3, 2020

Mark Albiez BSc, BEH(AD), CPHI(C)
Executive 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 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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Lethbridge • Lethbridge Community Health • South Zone

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www.albertahealthservices.ca/eph.asp