

**ORDER OF AN EXECUTIVE OFFICER
CLOSED FOR TENANT ACCOMMODATION PURPOSES
ORDER TO VACATE ON OR BEFORE September 16, 2026**

To: Ernesto Silva
"the Owner"

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

RE: Those housing premises located in Medicine Hat, Alberta and municipally described as:
804 10 Street SE - Downstairs

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;

By virtue of the violations noted below, the above noted premises are hereby declared to be **Closed for Tenant Accommodation Purposes**.

I hereby **ORDER** and **DIRECT**:

1. That all occupants vacate the above noted premises.
2. That the Owner(s) ensure all Occupants vacate the above noted premises on or before September 16, 2026.
3. That the Owner(s) immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure all holes and cracks in the ceiling are repaired.
 - b. Ensure all walls are flushed to the floor. There should be no gaps beneath the baseboard.
 - c. Clean up the mould on the washroom ceiling and bedroom corner on the wall and carpet. Ensure the carpet is thoroughly cleaned and sanitized.
 - d. Repair the leak coming from the washroom sink. Investigate the leak coming from the shower and repair as needed.
 - e. Investigate and address the potential leak coming from the toilet upstairs.
 - f. Replace the smoke alarm.
 - g. Ensure the ventilation is functioning properly in the washroom.
 - h. Repair the washroom sink cabinet door.

- i. Ensure the drain pipe for the washroom sink is connected to the wall. There should be no gaps in between.
 - j. Ensure the entire suite is cleared of clutter. Clean and sanitize all the floors.
 - k. Adequately manage the infestation of flies.
 - l. Remove or repair the hanging vent hose from the furnace room ceiling.
 - m. Remove the barricade or any obstruction of the basement unit to the upstairs kitchen unit. Food is not to be prepared in the basement unit.
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 and secured from unauthorized entry.

These required actions are necessary given the presence of the following conditions identified during inspection 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, in contravention of the Public Health Act, namely:

- a. There is reportedly a leak in the upstairs toilet into the downstairs bathroom when used. The upstairs unit was not inspected, however, there is a circular hole right above the downstairs toilet with signs of water damage and grime.
- b. The ceiling area where the shower is has gaps.
- c. The wall between the washroom and the room where the fridge is, is not flush to the ground. There is apparent water damage along the edge of that wall.
- d. The carpet in the adjacent room is full of grime and has a musty smell.
- e. There is a kitchen area set up in the room to the left of the washroom. There is a fridge, a wooden shelving unit with food on it for food, and a hot plate. No stove or sink is available in this room.
- f. The door leading to the upstairs kitchen unit is barred shut.
- g. Mould appeared to be growing on the washroom ceiling and in the corner of the bedroom. There is mould growing on the wall and carpet of the bedroom.
- h. The general sanitation of the unit is very poor. The state of the unit makes it difficult for cleaning to be done.
 - i. There is clutter, clothes, and garbage scattered throughout floors of the entire unit.
 - ii. Many rooms have no walking space due to clutter.
 - iii. Many flies, both dead and alive, were seen throughout the unit.

- i. There is a vent hose connected to the ceiling of the furnace room that is unattached and hanging from the ceiling.
- j. No working smoke alarm is available.
- k. The p-trap for the washroom sink leaks when turned on.
- l. The shower leaks to the other rooms; this was confirmed by the water damage seen on the walls of the rooms in the area next to the shower.
- m. Mechanical/natural ventilation is not available for the washroom.
- n. The washroom sink cabinet door appears to be severely damaged/missing.
- o. The drain pipe for the washroom sink is not completely connected to the wall/cabinet wall, presenting an opportunity for water to intrude.

These observed public health nuisance conditions identified during inspection are violations of the Housing Regulation, Alberta Regulation 173/99, and the Minimum Housing and Health Standards, namely:

- a. Many issues with finishes which is in contravention of section V of the Minimum Housing and Health Standards which states that: All walls and ceilings are not maintained in good repair, free of cracks, holes and in a condition that renders it easy to clean. 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. The general sanitation in most rooms was extremely poor 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.
- c. There are no working smoke alarms, which 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.
- d. Visible surface mould has been identified which contravenes 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.
- e. A properly maintained bathtub or shower is not being provided which contravenes section 6 (C) & section 7 (a) of Minimum Housing and Health Standards which state that: Every housing premises shall be provided with plumbing fixtures of a bathtub or shower that shall be serviceable, free from leaks, trapped and vented to the outside, and supplied with potable hot and cold running water.
- f. A properly maintained hand sink is not being provided which contravenes Minimum Housing and Health Standards s 6(c) & s 7(a,b) which state that: Every housing premises shall be provided with a wash basin that is in the same room as the flush toilet or in close proximity to the door leading directly into the room containing the flush toilet. The basin shall be supplied

with hot and cold running water, serviceable, free from leaks, trapped and vented to the outside.

- g. The bathroom counter and/or cabinet is in disrepair which contravenes section 1 (C) of Minimum Housing and Health Standards which states that: All building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- h. Inadequate natural or mechanical ventilation provided which contravenes section 7 (C) of Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation. A bathroom fan exhausted to the exterior is needed where windows cannot be solely relied upon.
- i. The door to the upstairs unit kitchen is barred, preventing access to a shared kitchen. The housing premises does not meet the requirements for shared kitchen facilities. This contravenes section 14 (b) of Minimum Housing and Health Standards which states that: Occupants of a housing premises with more than one dwelling may share food preparation facilities provided that: (i) the food preparation facilities are located in a common kitchen room, (ii) the occupants have access to the common kitchen room from a public corridor without going outside the building, (iii) the common kitchen room is located on the same floor as, or on the next storey up or down from the floor on which the dwelling unit is located, (iv) the food preparation facilities shall not serve more than eight persons, and (v) the refrigerator shall provide a minimum volume of two cubic feet of storage for each intended occupant.
- j. The tenants are using one of the rooms as a kitchen. There is no stove or kitchen sink. This contravenes section 14 (a) of Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: (i) a kitchen sink that is supplied with potable hot and cold water and suitably sized to allow preparation of food, washing utensils and any other cleaning operation; and (ii) cupboards or other facilities suitable for the storage of food; and (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; and (iv) 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 degrees C. (400F).

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, September 3, 2026

Confirmation of a verbal order issued to Ernesto Silva on September 1, 2026.

Confirmation of a verbal order issued to Tenant on September 3, 2026.

Executive Officer

Environmental Health Officer

If you have any questions regarding the order, contact Environmental Public Health at 1-833-476-4743 or

<https://www.albertahealthservices.ca/eph/eph.aspx>

You have the right to appeal

A person who is directly affected by a 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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