

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

To: ***Avenue Living (2014) GP Ltd.*** – Registered Owner
“the Owner”

Ashish Madan – Residential Portfolio Manager

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

RE: Those housing premises located in Medicine Hat, Alberta and municipally described as:
309 - 97 Carswell Road SE (UNIT 309 ONLY); [Legal Description: Plan 7510668; Block 6; Lot 28]

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. Some wall areas in each of the bedroom, washroom, and living room are broken, or have holes, or are otherwise in a state of disrepair.
- b. The apartment is in an extreme unsanitary and unsafe state with much disarray, clutter, debris, broken glass, etc., possibly caused and compounded by, and linked to, suspected illicit drug use.
- c. Components within the toilet tank are in a state of disrepair.
- d. The smoke alarm is missing.
- e. The bedroom window is broken; it is currently boarded up.
- f. The dining area window is cracked.
- g. The entry door to the suite is broken in two, off its hinges, and entirely missing; the doorway is presently boarded up.

AND WHEREAS such inspection disclosed that the following breaches of the **Public Health Act** and the *Housing Regulation, Alberta Regulation 173/99, With amendments up to and including Alberta Regulation 144/2021, Current as of June 23, 2021*, and the *Minimum Housing and Health Standards, Original version July 20, 1999, Revisions effective January 1, 2013*, exist in and about the above noted premises, namely:

- a. Some wall areas in each of the bedroom, washroom, and living room are broken, or have holes, or are otherwise in a state of disrepair 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. The apartment is in an extreme unsanitary and unsafe state with much disarray, clutter, debris, broken glass, etc., possibly caused and compounded by, and linked to, suspected illicit drug use 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. Components within the toilet tank are in a state of disrepair which is in contravention of section **IV** 6 (a) & (c) 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. All plumbing fixtures shall be serviceable, free of from leaks, trapped and vented to the outside."
- d. The smoke alarm is missing 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. (a) Smoke alarms shall be operational and in good repair at all times."
- e. The bedroom window is broken; it is currently boarded up which is in contravention of section **III** 2 (b) (i) & (ii) 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. In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer."
- f. The dining area window is cracked which is in contravention of section **III** 2 (b) (i) & (ii) 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. In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer."
- g. The entry door to the suite is broken in two, off its hinges, and entirely missing; the doorway is presently boarded up which 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."

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 any occupant(s) immediately vacate the above noted premises.
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 or replace the damaged walls.
 - b. Restore the apartment to a clean and sanitary and safe condition.
 - c. Repair the toilet.
 - d. Install a new smoke alarm.

- e. Replace cracked and broken windows, and with ones that protect against cold weather.
 - f. Install a new entrance door for the unit.
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, February 07, 2025

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>

Template revised October 13, 2022