

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

To: **Kuldeep Dave Ohri & Charlotte K. Ohri**
"the owner"

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

RE: The "housing premises" located in **Sylvan Lake**, Alberta and municipally described as:
4604 47 Ave, Lot 22 Block 5 Plan 802 1801

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 the prevention or suppression of disease, namely:

- a. **No smoke alarm is present to alert occupants of the east and west bedroom.**
- b. **Inadequate ventilation is evident with carbon dioxide levels ranging from 600-1400ppm in the home.**
- c. **Window sizes are inadequate as they are only 2.95 square feet to serve as a means of emergency egress.**
- d. **Structural integrity of the premise compromised as evident of the shifting of the house foundation.**

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 floors, walls and roofing have shifted in various areas of the house, causing sagging of the floors and roof. The east addition is detaching from the main structure causing tears in the outdoor cladding of the premise. These are violations of Section 1(a) of the Minimum Housing and Health Standards which states that the housing premise shall be structurally sound.**
- b. **The dirt crawl space under the house has pooling water. This is a violation of Section 1(b) of the Minimum Housing and Health Standards which states that basements, cellars or crawl spaces shall be structurally sound, maintained in good repair, and free from water infiltration and accumulation.**
- c. **The ceiling in the bathroom is water damaged and shows signs of mould growth. This is a violation of Section 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.**
- d. **The painted MDF sheeting that serves as the outside cladding is worn and no longer water proof, windproof and weatherproof and the eaves troughs are in disrepair and do not direct rain or snowmelt from the foundation. These are violations of Section**

- 2(a) of the Minimum Housing and Health Standards which states that the roof and exterior cladding of walls shall be maintained in waterproof, windproof and weatherproof condition.**
- e. **The west bedroom, living room and bathroom windows lack screens or have screens that are in disrepair. This is a violation of Section 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.**
 - f. **The back door of the east addition does not remain securely shut and locked. This is a violation of Section 3(a) of the Minimum Housing and Health Standards which states that exterior windows and doors shall be capable of being secure.**
 - g. **The east bedroom window has an openable space measured as 2.95 square feet, this is a violation of Section 3(b)(i) which states that 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 provide unobstructed openings with areas not less than 0.35 square (3.8 square feet) with no dimension less than 380 mm (15 inches)**
 - h. **The bathroom walls are constructed of wooden panels that have worn and cracked seams that are not easily cleanable. This is a violation of Section 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.**
 - i. **The linoleum flooring of the bathroom is lifting on the edges. This is a violation of Section 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.**
 - j. **The level of carbon dioxide was detected at a range of 600ppm-1400ppm. These indoor air concentrations indicate that there is insufficient ventilation and/or malfunctioning heating equipment. This is a violation of Section 8(a) of the Minimum Housing and Health Standards which states that all heating facilities within a housing premises are to be properly installed and maintained in good working condition.**
 - k. **There is no smoke alarm to alert the east and west bedroom occupants. This is a violation of section 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 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, 2013**
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Procure the supervision or expertise of a qualified professional (building or engineering disciplines) to confirm the structural integrity of the premise and provide written verification of their findings to an Executive Officer of Alberta Health Services.

- b. Ensure that the property is free from water infiltration and accumulation of all basement, cellars or crawl spaces.
 - c. Ensure that any damaged materials are repaired or replaced.
 - d. Ensure that the roof and exterior cladding of the property are maintained in waterproof, windproof and weatherproof condition.
 - e. Ensure that every window or other device intended for ventilation is equipped with effective screens
 - f. Ensure that exterior windows and doors are capable of being secure.
 - g. Ensure that all bedroom windows provide unobstructed openings with areas not less than 0.35 square (3.8 square feet) with no dimension less than 380 mm (15 inches)
 - h. Ensure that all walls, windows, ceilings, floors and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders them easy to clean.
 - i. Employ the services of a qualified professional to evaluate the heating and ventilation systems of the home and undertake any repairs/work necessary to ensure that the systems are in good working condition and that adequate ventilation is provided to the home. Written verification from a qualified professional is to be provided to an Executive Officer of Alberta Health Services.
 - j. Ensure that smoke alarms within dwellings are installed between each sleeping area and the remainder of the suite and maintained in good working order.
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 **Sylvan Lake**, Alberta, **July 12, 2013**

Confirmation of an oral order issued to **Dave Ohri**, at **July 11, 2013**.

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, Telus Plaza North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-427-2813
Fax: 780-422-0914
Email: health.appealboard@gov.ab.ca

A Notice of Appeal form may be obtained by contracting 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 & Wellness at (780) 427-4518, or by visiting: www.health.alberta.ca/about/health-legislation.html

Copy **Kuldeep Dave Ohri & Charlotte Ohri**

Copy **Town of Sylvan Lake**

Sylvan Lake • Community Health Center • Central Zone Environmental Public Health

4602 49th Avenue, Sylvan Lake, AB, Canada T4S 1M7

www.albertahealthservices.ca