

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

To: Dem Landing Holdings Inc
"the Owner"

Ayman Tadros
"the Owner"

Fadia Tadros
"the Owner"

Sam Shenouda
"the Owner"

And To: All Occupant(s) of the following Housing premises: Cabin at 250054 16 Street W

RE: Those housing premises located in Foothills County, Alberta and municipally described as: Cabin at 250054 16 Street W

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. No refrigerator was present in the cabin.
- b. The only cooking appliance available in the cabin is a wood-burning stove.
- c. The cabin did not contain cupboards or other areas suitable for food storage.
- d. The cabin did not have countertop space suitable for the preparation of food.
- e. A kitchen sink was not present in the cabin.
- f. The cabin is not being supplied with any utilities (water, power, or heat). The only power available is through a solar-powered battery unlikely to supply power necessary to meet minimum housing standards.
- g. The only heat source onsite was a wood-burning stove also intended for use as a cooking appliance.
- h. The ambient air temperature inside the cabin was measured at 9.7C.
- i. A smoke alarm was not present inside the cabin.
- j. The wooden step used to access the front porch and entrance to the cabin was found to be partially rotted.
- k. The cabin does not have access to a flush toilet or any form of bathing facilities.
- l. The cabin did not have access to a wash basin.
- m. The cabin does not have access to running potable water.

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. No refrigerator was present in the cabin. This is in contravention of Section 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 refrigerator that is maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C. (40°F).
- b. The only cooking appliance available in the cabin is a wood-burning stove. This is in contravention of Section 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 that is maintained in a safe and proper operating condition.
- c. The cabin did not contain cupboards or other areas suitable for food storage. This is in contravention of Section 14(a)(ii) of the *Minimum Housing and Health Standards* which states that: Every housing premises shall be provided with a food preparation area, which includes cupboards or other facilities suitable for the storage of food.
- d. The cabin did not have counterspace suitable for the preparation of food. This is in contravention of Section 14(a)(iii) of the *Minimum Housing and Health Standards* which states that: Every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.
- e. A kitchen sink was not present in the cabin. This is in contravention of Section 14(a)(i) of the *Minimum Housing and Health Standards* which states that: Every housing premises shall be provided with a food preparation area, which includes 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.
- f. The cabin is not being supplied with any utilities (water, power, or heat). The only power available is through a solar-powered battery unlikely to supply power necessary to meet minimum housing standards. This is in contravention of Section 8(d) of the *Minimum Housing and Health Standards* which states that: Every owner of a housing premises shall ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such utility services are the sole responsibility of the occupant.
- g. The only heat source onsite was a wood-burning stove also intended for use as a cooking appliance. This is in contravention of Section 8(c) of the *Minimum Housing and Health Standards* which states that: Cooking appliances and portable space heaters shall not be used as the primary source for the required heat to a habitable room.
- h. The ambient air temperature inside the cabin was measured at 9.7C. This is in contravention of Section 8(a, b) 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, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of; (i) at least 22°C (71°F), or (i) [sic] maintained at a temperature of at least 22°C (71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- i. A smoke alarm was not present inside the cabin. This is in contravention 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, where hallways serve the sleeping areas the smoke alarms shall be installed within the hallway.

- j. The wooden step used to access the front porch and entrance to the cabin was found to be partially rotted. This is in contravention 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.
- k. The cabin does not have access to a flush toilet or any form of bathing facilities. This is in contravention of Section 6(c) & 7 of the *Minimum Housing and Health Standards* which states that: Every housing premises shall be provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower that shall be serviceable, free from leaks, trapped and vented to the outside.
- l. The cabin did not have access to a wash basin. This is in contravention of Section 6(c) & 7(a,b) which states 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.
- m. The cabin does not have access to running potable water. This is in contravention of Section 9 of the *Minimum Housing and Health Standards* which states that: Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.

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 the 20th of October 2023.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Provide access to water, power, and heating utilities.
 - b. Provide a washroom facility within the cabin, as defined in Section 7 of the *Minimum Housing and Health Standards*.
 - c. Provide a food preparation area within the cabin, as defined in Section 14(a) of the *Minimum Housing and Health Standards*.
 - d. Connect all installed sinks and flush toilets to an approved private sewage disposal system, as defined in Section 6 of the *Minimum Housing and Health Standards*.
 - e. Ensure that the primary heating system in place in the cabin is not a cooking appliance, and can heat all habitable areas to a temperature of at least 22°C.
 - f. Install a functional smoke alarm inside the cabin.
 - g. Repair or replace any damaged or rotting building materials identified on the premises.
 - h. Ensure that water provided to the cabin is potable, and is of sufficient volume, pressure, temperature for the needs of its occupants.

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 Okotoks, Alberta, 5th of October 2023
Confirmation of a verbal order issued to Sam Shenouda on the 4th of October 2023.

Executive Officer
Environmental Health 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 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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