

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

To: Tim Lewyk
"the Owner"

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

RE: Those housing premises located in St. Michael, Alberta and municipally described as:
136, Lot 15, Block 1, Plan 1749EO.

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. There is no heating services provided to the housing premises.
- b. There is no supply of hot water provided to the housing premises.
- c. The two bedrooms do not have windows that meet emergency egress requirements.

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. There is no heating services provided to the housing premises. This condition is in contravention of section 8(a)(i) of the Minimum Housing and Health Standards, which states: "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 at least 22°C (71°F)."
- b. There is no supply of hot water provided to the housing premises. This condition is in contravention of section 9(a) of the Minimum Housing and Health Standards, which states: "Every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants. All hot running water shall be maintained at a temperature of not less than 46 degrees C (114°F) and not more than 60 degrees C (140°F) measured at the plumbing fixture."
- c. The gas stove is not operational. This condition is in contravention of section 14(a)(iv) of the Minimum Housing and Health Standards, which states: "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 degrees C (40°F)."

- d. The two bedrooms do not have windows that meet emergency egress requirements. This condition is in contravention of section 3(b)(ii) of the Minimum Housing and Health Standards, which states: “Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 sq. meters (3.8 sq. ft.), with no dimension less than 380 mm (15 inches).”
- e. The smoke alarm is not installed between the sleeping areas. This condition is in contravention to section 12 of the Minimum Housing and Health Standards, which states: “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.”
- f. There is one electrical outlet with exposed wiring and is missing the cover. Another outlet and cover have been pulled away from the wall. This condition is in contravention of section 11 of the Minimum Housing and Health Standards, which states: “every housing premises shall be supplied with electrical service. Outlets, switches and fixtures shall be properly installed and maintained in a good and safe working condition.”
- g. The bathroom is not provided with natural or mechanical ventilation. This condition is in contravention of section 7(c) of the Minimum Housing and Health Standards, which states: “all rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.”
- h. The walls around the bathtub do not form a watertight joint with the tub surround. This condition is in contravention of section 5(a) of the Minimum Housing and Health Standards, which states: “rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower.”

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 1, 2022.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Restore heating services to the housing premises.
 - b. Restore a continuous supply of hot water to the housing premises.
 - c. Ensure the stove is in proper operating condition.
 - d. Ensure that both bedrooms have a window that meets emergency egress requirements.
 - e. Ensure there is an operational smoke alarm in between the two sleeping areas.
 - f. Ensure all electrical outlets, switches and fixtures are properly installed and maintained in a good and safe working condition.
 - g. Ensure the bathroom is provided with natural or mechanical ventilation.
 - h. Ensure the walls around the bathtub form a watertight joint with the tub surround.
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 Lamont, Alberta, June 27, 2022.
Confirmation of a verbal order issued to Tim Lewyk on June 27, 2022.

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 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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Template revised April 25, 2022

Copy: Lamont County