

## ORDER OF AN EXECUTIVE OFFICER

**To:** Darrell Koester  
Vickie Koester  
“the Owner”

**RE:** Those housing premises located in Stettler County, Alberta and municipally described as:  
19103 Township Road 412

**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. Septic tank has an unsafe cover.
- b. Sewage back-up into the basement tub and toilet creating insanitary conditions.
- c. Upstairs bedroom windows have hardware obstructing emergency egress.

**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 septic tank was observed with an unsecured wood cover. This is in contravention of section 6(a) of the Minimum Housing and Health Standards which states, “Every housing premises shall be connected to the public sewage system or to an approved private sewage disposal system. The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and disposal system shall be maintained in proper operating condition.”
- b. Sewage was observed to have backed up into the basement tub and toilet. This is in contravention of section 6(a) of the Minimum Housing and Health Standards which states, “Every housing premises shall be connected to the public sewage system or to an approved private sewage disposal system. The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and disposal system shall be maintained in proper operating condition.”
- c. Handles were missing from two of the upstairs bedroom windows. This is in contravention of section 3(b)(i) of the Minimum Housing and Health Standards which states, “For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge.”

- d. Upstairs bedroom windows (awning style) have hardware which makes the opening obstructed as it cannot be removed without special knowledge or tools. This 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 m<sup>2</sup> (3.8 ft<sup>2</sup>), with no dimensions less than 380 mm (15')."
- e. The upstairs bathroom window is missing the handle which does not allow for the window to be opened for natural ventilation. The master bathroom does not have a fan to allow for ventilation. This 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."
- f. A smoke alarm is missing from the basement bedroom across from the bathroom. This is in contravention of 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."
- g. The porch window was observed to be broken. This is in contravention of section 2(b)(i) of the Minimum Housing and Health Standards which states, "All windows and exterior doors shall be maintained in a waterproof, windproof and weatherproof condition."
- h. The back deck was observed to be soft and uneven, and the front deck had holes in it due to missing deck boards. This is in contravention of section 3(c)(i) of the Minimum Housing and Health Standards which states, "Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design."

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Install a secure, solidly constructed septic tank cover to prevent someone from falling into it. The septic tank cover must also be sealed to prevent surface water entering the septic tank. The cover must meet requirements specified in the Alberta Private Sewage System Standards of Practice.
  - b. The septic tank shall be pumped out and cleaned, and the private sewage disposal system maintained in proper operating condition.
  - c. A high level overflow alarm must be installed on the septic tank. The alarm must be on a separate electrical circuit and installed in accordance with the Alberta Private Sewage System Standards of Practice.
  - d. Clean and sanitize the basement tub, toilet and floor.
  - e. Replace the upstairs bedroom windows.
  - f. Install a handle on the upstairs bathroom window so that the window can be opened.
  - g. Install a properly working smoke alarm in the basement sleeping area (next to the washroom).

- h. Replace the porch window and remove the broken glass.
  - i. Properly design, and repair or replace the front and back decks' stairs and balustrades (i.e., posts, spindles and rails) in accordance with the Alberta Building Code.
  - j. Provide a CSA approved food grade potable water tank, labeled "potable water" for the tenants to use (as per your rental agreement water tank provided for tenants to use).
2. The work referred to in paragraph 1 shall be completed by:
- a. Items b, d, f, and g shall be completed by September 1, 2019.
  - b. Items a, c, e, h, i and j shall be completed by October 31, 2019.

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 Stettler, Alberta, August 23, 2019.

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](mailto:HealthAppealBoard@gov.ab.ca)  
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting 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](http://www.qp.gov.ab.ca).

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Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)

Template revised May 23, 2019

Copy: Yvonne Healing, Tenant