

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

To: Linda Diegel
"the Owner"

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

RE: Those housing premises located in Hanna, Alberta and municipally described as:
203 4 Avenue East.

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 utility connection for power.
- b. There is no functioning smoke alarm in the bedroom hallway upstairs.
- c. There was an extreme amount of clutter in the unit and several cats.
- d. The kitchen flooring and general flooring in the dwelling are in disrepair.
- e. Lack of appropriate food preparation facilities, stove missing burners, countertop by the microwave broken, and cabinet missing drawers and door in the kitchen.
- f. The bathroom has no mechanical exhaust fan, and the window is boarded.
- g. The plastic surround above the bathtub is damaged thus walls are being continuously exposed to water damage during bathing.
- h. The bathroom floor is not in good repair and not impervious to moisture. There is a hole in the wall beside the toilet seat.
- i. The faucet for cold and hot water, for the hand washing sink, are missing and not in proper operating condition.
- j. The exterior door to the living room is in disrepair and not weatherproof.
- k. Some electrical outlets in the dining area and living room are missing plate covers.
- l. The ceiling above the stove is damaged by smoke and cracks noted.
- m. The walls in the small bedroom upstairs and the hallway are in disrepair. Holes on walls and a section of the dry wall in the storage space of the small bedroom is damaged.

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 utility connection for power. This condition is contrary to Section 8(d) of the Minimum Housing and Health Standards, which states: "Every owner must ensure a continuous supply of electricity, water and heat unless the rental agreement stipulates that such services are the sole responsibility of the occupant."

- b. There is no functioning smoke alarm in the bedroom hallway upstairs. This condition is contrary 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. (a) Smoke alarms shall be operational and in good repair at all times.”
- c. There was an extreme amount of clutter in the unit and several cats. This is in contravention of Section 5(2) of the Housing Regulation, AR 173/99 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.”
- d. The kitchen flooring and general flooring in the dwelling are in disrepair. This condition is contrary to Section 5 of the Minimum Housing and Health Standards, which states: “All walls, windows, ceilings, floors and floor coverings shall be maintained in good repair, free of cracks and holes, loose or lifting coverings and in a condition that renders it easy to clean.”
- e. Lack of appropriate food preparation facilities, stove missing burners, countertop by the microwave broken, and cabinet missing drawers and door in the kitchen. These conditions are contrary to Section 14(a) of the Minimum Housing and Health Standards, which states: “Every housing premises shall be provided with a food preparation area which includes: (i) a kitchen sink that is supplied with potable hot and cold running water; (ii) cupboards or other facilities suitable for the storage of food; (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned; (iv) a stove and a refrigerator that are maintained in a safe and proper operating condition.”
- f. The bathroom has no mechanical exhaust fan, and the window is boarded. This condition is contrary to 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.”
- g. The plastic surround above the bathtub is damaged thus walls are being continuously exposed to water during bathing. This condition is contrary to 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.”
- h. The bathroom floor is not in good repair and not impervious to moisture. There is hole in the wall beside the toilet seat. These conditions are contrary to 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.”
- i. The faucet for cold and hot water for the hand washing sink are missing and not in proper operating condition. This condition is contrary to Section 7 of the Minimum Housing and Health Standards, which states: “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. The washbasins and bathtub or shower shall be supplied with potable hot and cold running water. The wash basin should be in the same room as the flush toilet or in close proximity to the door leading directly into the room containing the flush toilet.”

- j. The exterior door to the living room is in disrepair and not weatherproof. A section of the door is open. This condition is contrary to Section 2(b)(i) of the Minimum Housing and Health Standards, which states: “All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.”
- k. Some electrical outlets in the dining area and living room are missing plate covers. This condition is contrary to Section 11 of the Minimum Housing and Health Standards, which states: “Every housing premises shall be supplied with electrical services. Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”
- l. The ceiling above the stove is damaged by smoke and cracks noted. This condition is contrary to Sections 1(c) and 5 of the Minimum Housing and Health Standards, which states: “Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.” And Section 5 states: “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.”
- m. The walls in the small bedroom upstairs and the hallway are in disrepair. Holes on walls and a section of the dry wall in the storage space of the small bedroom damaged. This condition is contrary to Section 5 of the Minimum Housing and Health Standards, which states: “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.”

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 August 18, 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. Restore power services to the housing premises immediately.
 - b. Ensure there is an operational smoke alarm in the sleeping area.
 - c. Ensure the nuisance conditions are remediated and the premises is in a clean and sanitary condition.
 - d. Repair and replace any missing or damaged flooring materials in the premises.
 - e. Ensure stove is in proper operating condition, repair damaged countertop and cupboard.
 - f. Repair bathroom window or provide the bathroom with a mechanical exhaust fan so that it is functioning properly and exhausts directly to the outside.
 - g. Repair bathtub walls and ensure the walls around the bathtub form a watertight joint with the tub surround.
 - h. Repair and ensure all surfaces, including flooring of the bathroom are smooth, impervious to moisture, and easy to clean.
 - i. Ensure there is a properly installed faucet for the wash basin.
 - j. Repair and ensure that all exterior doors are weatherproof.
 - k. Ensure that all electrical outlets have plate covers.
 - l. Clean and repair the ceiling to ensure it is maintained in good repair and easy to clean.

- m. Repair and refinish all damaged walls so that they are smooth, sealed and easy to clean.
- 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 Drumheller, Alberta, July 26, 2023

Confirmation of a verbal order issued to Linda Diegel on July 26, 2023 via phone voice message.

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>

Template revised October 13, 2022

Copy: Town of Hanna