

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

**To:** 500016 Alberta Ltd.  
"the Owner"

and

Adri Both  
Gerda Both  
"the Directors"

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

**RE:** Those housing premises located in Ponoka County, Alberta and municipally described as: 262054 Township Road 440, SW 3-44-26 W4M

**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. Inoperable smoke alarms in or near bedrooms.
- b. The main floor bedroom windows do not 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. Inoperable smoke alarms in or near bedrooms. 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."
- b. The main floor bedroom windows do not meet emergency egress requirements. This condition is contrary to section 3(b)(i) of the Public Health Act, Minimum Housing and Health Standards which states: "Emergency egress for building 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. (ii) window referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 square meters, with no dimension less than 380 mm."

- c. The exterior back door is not weatherproof. The door is of hollow design and had an open hole in it. These conditions are contrary to section 2 (b)(i) of the Minimum Housing and Health Standards which states: “(i) All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.”
- d. Water infiltration is evident because the carpet in the sump pump room is soaking and there is a strong musty smell in the room. These conditions are contrary to section 1(b) of the Minimum Housing and Health Standards which states: “(b) Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation.”
- e. The dishwasher, in the kitchen, has a leak. The p-trap under the kitchen sink was leaking at the time of inspection, and not properly vented. The bathroom tub faucet is leaking. In addition, the septic tank pump is not operating properly, the tenant had to manually operate the pump, and the concrete cover on the septic tank is showing signs of disrepair. These conditions are contrary to sections 6(a)(c) 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. (a) 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, pump out sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
- f. Baseboards are missing throughout the house. There is a hole in the living room wall and the bathroom wall. These conditions are 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.”
- g. Some electrical outlets are missing plate covers. These conditions are contrary to 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 shall be maintained in a good and safe working condition.”

**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 31, 2022.
2. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Ensure that functional smoke alarms are installed in or near all bedrooms.
  - b. Ensure that all bedroom windows meet emergency egress requirements.
  - c. Ensure that all exterior doors are weatherproof.
  - d. Ensure that the sump pump is in good repair and all water-damaged material removed.
  - e. Ensure that:
    - (1) The dishwasher, if provided, is in good repair.
    - (2) The plumbing fixtures are repaired by a qualified plumber.

- (3) The private sewage system is assessed and repaired by a Safety Codes Officer. A copy of the report shall be provided to the Public Health Inspector.
  - f. Install missing baseboards and ensure that all walls are in good repair.
  - g. Ensure that all electrical outlets have plate covers.
  
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 Ponoka, Alberta, July 12, 2022

Confirmation of a verbal order issued to Annalieke Devries on July 11, 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](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 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](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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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Copy: Ponoka County