

ORDER OF AN EXECUTIVE OFFICER CLOSED FOR TENANT ACCOMMODATION PURPOSES

ORDER TO VACATE

To: Michael Nolan
Laureen Nolan
"the Owner"

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

RE: Those housing premises located in Castor, Alberta and municipally described as:
4317 - 48 Avenue

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. Bedrooms have an un-acceptable window opening size for emergency egress.
- b. The smoke detector outside of the kitchen bedroom is not working.
- c. The ceiling is bowing in areas throughout the home and has high moisture levels indicative of a roof leak.
- d. Porch floor also appears water 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. Both bedrooms have an un-acceptable window size. 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 m² (3.8 ft²), with no dimension less than 380 mm (15")."
- b. The smoke alarm outside of the bedroom next to the kitchen does not work. This is in contravention of section 12 (a) of the Minimum Housing and Health Standards which states, "Smoke alarms shall be operational and in good repair at all times."
- c. The living room window is cracked. 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 good repair, free of cracks and weatherproof."
- d. The ceiling is bowing in areas throughout the home and has moisture levels indicative of a roof leak. This is in contravention of sections 1 (a) & (c) of the Minimum Housing and

Health Standards which states, “The housing premises shall be structurally sound. Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”

- e. The porch was observed with holes drilled through the floor (for drainage) and a moisture metre measured high levels of moisture in the floor material. This is in contravention of sections 1 (b) & (c) of the Minimum Housing and Health Standards which states, “Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation. Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”
- f. The eaves trough on the porch was observed to be falling off. This is in contravention of section 2 (a) of the Minimum Housing and Health Standards which states, “The roof and exterior cladding of walls shall be maintained in a waterproof, windproof, and weatherproof 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 April 14, 2019.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Replace the bedroom windows so they have an unobstructed opening with areas no less than 0.35 m² (3.8 ft²), with no dimension less than 380 mm (15”).
 - b. Repair or replace the smoke alarm so that it is operational.
 - c. Replace the living room window so that it is not cracked.
 - d. Have an independent contractor conduct an evaluation of any structural damage or water infiltration into the attic and ceiling.
 - e. Have an independent contractor conduct an evaluation of the porch for water infiltration.
 - f. Have an independent contractor evaluate the basement for: state of repair and water infiltration and accumulation.
 - g. Attach the eaves trough so that it is properly secured to the building.
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 Stettler, Alberta, April 5, 2019
Confirmation of a verbal order issued to Lauren Nolan on April 5, 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
Website: <http://www.health.alberta.ca/about/PHAB.html>

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.

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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

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