

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

To: Marilyn Butt
"the Owner"

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

RE: Those housing premises located in Wetaskiwin, Alberta and municipally described as:
4506 55 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. The wall plate, of the light switch, in the laundry room is missing.
- b. The interior side of several window frames are unfinished (i.e. exposed bare wood). Some of these frames also have fine cracks.
- c. The casing (trim) of the interior side of the East facing window in the Southeast bedroom is in disrepair such that there is a hole in the wall.
- d. The laundry room window frame is in disrepair and is unfinished.
- e. The wall in the laundry room where the window is located is in disrepair.
- f. The floor of the upstairs closet has exposed bare wood.
- g. The floor in the living room and main floor bedroom is starting to lift at the edges.
- h. There was some water damage and potential mould observed in the upstairs closet. Noticeably, the corners of the walls (each level of the shelves) inside the closet where paint has begun to chip off, as well as where the floor joins the wall. There is also water staining above the closet where the wall meets the ceiling.
- i. There is a crack in the concrete foundation, visible on the exterior of the house at the Southeast corner.
- j. The floor of the living room (near the front door) and main floor bedroom was observed to be uneven and raised. The front door can only open halfway since the bottom of the door comes into contact with the floor. Furthermore, there is a crack that leads from the top right of the main floor bedroom door frame to the ceiling.
- k. The exterior of the kitchen window frame is in disrepair. Furthermore, there is a large hole in the bottom right of the window frame.
- l. The front door is in disrepair. Noticeably, the casing (trim) on the interior side is in disrepair. The door is also bent on the bottom right side. There is also a gap between the side of the door and the door frame.
- m. The shingles are in disrepair.
- n. The laundry room window is composed of 2 separate single panes of glass (i.e. double glazed). However, the interior pane of glass is broken.

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. Switch plates or electrical outlet covers are missing or damaged. This is in contravention of Section 11 of the Minimum Housing and Health Standards, which states, “Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”
- b. All walls and ceilings are not maintained in good repair, free of cracks, holes and in a condition that renders it easy to clean. This is in contravention of 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.”
- c. All floor coverings are not maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean. This is in contravention of 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.”
- d. Visible surface mould has been identified. This is in contravention of Section 5(2) of the Housing Regulation, which states, “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.”
- e. The housing premises does not appear to be structurally sound. This is in contravention of Section 1(a,d) of the Minimum Housing and Health Standards, which states, “The housing premises shall be structurally sound. Repairs or modifications of any structural element of the housing premises may require the design and/or supervision of a professional structural engineer or a Safety Codes Officer (Building Discipline).”
- f. The foundation is in disrepair. This is in contravention of Section 1(b) 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.”
- g. The roof is not maintained in a waterproof, windproof and weatherproof condition. 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.”
- h. Windows are not maintained in good repair, free of cracks and weatherproof. 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.”
- i. Doors are not maintained in good repair, free of cracks and weatherproof. 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.”
- j. Windows do not protect against cold weather through the provision of a storm sash, double glazing, or a durable thermal/air resistant barrier. This is in contravention of Section 2(b)(ii) of the Minimum Housing and Health Standards, which states, “ In housing premises intended for use during the winter months, windows in habitable rooms shall

protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.”

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 September 16, 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 all electrical switches and outlets have a wall plate installed.
 - b. Ensure all window frames are finished, in good repair, free of cracks, holes and in a condition that renders them easy to clean.
 - c. Ensure all window casings (trim) are in good repair.
 - d. Ensure all windows and window frames are in good repair, such that they are windproof, weatherproof, and waterproof.
 - e. Ensure the front door and door frame is repaired so that it is windproof, weatherproof and waterproof.
 - f. Ensure all walls are in good repair.
 - g. Ensure the upstairs closet floor area is finished.
 - h. Ensure all flooring is in good repair.
 - i. Determine the source of the water infiltration problem in the ceilings and walls and make any necessary repairs. Water damaged and/or mould contaminated building materials need to be remediated and/or replaced.
 - j. Ensure the roof is windproof, weatherproof and waterproof.
 - k. Consult with a Building/Safety Codes Officer and make any necessary repairs to ensure the premises is structurally sound and free from water infiltration. Forward Building/Safety Codes Officer report to District Public Health Inspector.
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 Wetaskiwin, Alberta, September 14, 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 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 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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