

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

**To:** Cynthia Ann De Vries  
"the Owner"

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

**RE:** Those housing premises located in Botha, Alberta and municipally described as:  
4914 - 49 Street

**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. Smoke alarms are not functional.
- b. There is water infiltrating the dirt basement which may result in building deterioration and mould growth.
- c. The stairway and porch leading into the front of the building has rotten and damaged boards creating a safety hazard.
- d. Basement bedroom window does not meet required size for safe egress.
- e. The foundation in the southwest corner of the building is in poor repair.

**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. Working smoke alarms were not observed between sleeping areas. Section 12 of the Minimum Housing and Health Standards 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 in the hallway."
- b. Water is infiltrating the basement of the premises. Section 1(b) of the Minimum Housing and Health Standards states: "Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation."
- c. Outside stairs and porch has damaged or rotten materials and is a safety hazard. Section 3(c) of the Minimum Housing and Health Standards 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."
- d. Eavestroughs are not connected to drainage spouts, and drain spouts are missing or in a poor state of repair. Section 2(a) of the Minimum Housing and Health Standards states:

“The roof and exterior cladding of walls shall be maintained in good repair, free of cracks and weatherproof.”

- e. Basement bedroom window does not meet size requirements for safe egress. Section 3(b)(ii) of the Minimum Housing and Health Standards states: “Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).”
- f. Southwest corner of the building’s foundation is not in a state of good repair nor weatherproof. Section 1(a) of the Minimum Housing and Health Standards states: “The housing premises shall be structurally sound.”

**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, 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. Install a smoke alarm between each sleeping area.
  - b. Take measures to prevent water infiltration into the basement of the premises.
  - c. Repair or replace all damaged or rotten building materials on front stairs and porch.
  - d. Install a window in the basement bedroom that meets the size requirements of the Minimum Housing and Health Standards.
  - e. Repair drainage spouts so that water is directed away from the housing premises.
  - f. Repair the foundation so that it is structurally sound, and in a weather proof condition.
  - g. Provide either a report from a municipal safety codes officer or from a professional structural engineer indicating that it’s structurally sound.
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, July 26, 2019.

Confirmation of a verbal order issued to Cynthia Ann De Vries on July 17, 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)

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