

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

**To:** Kenneth Petersen  
"the Owner"

Elaine Barrett  
Astoria Asset Management Ltd.  
"Property Manager"

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

**RE:** Those housing premises located in Mountain View County, Alberta and municipally described as:  
NE 08-33-02 W5M

**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 water well is subject to contamination and water supply to the home is not potable.
- b. There is water damage to the ceiling and wall in the southwest corner of the living room near the hallway entrance.
- c. The electrical system is in disrepair.

**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. The water well is located in a pit approximately 100 feet from the southwest corner of the home and it is not protected from contamination. The microbial water analysis showed that Total Coliforms are present. In addition, the fluoride concentration was measured to be 3.2 parts per million which exceeds the Maximum Acceptable Concentration of 1.5 ppm as outlined in the Guideline for Canadian Drinking Water Quality. The water supply is not considered potable. This is in contravention of Section IV(9) of the Minimum Housing and Health Standards that states: "Every building used in whole or in part, as housing premises must be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants."
- b. Water staining and bubbled paint was noted on the ceiling and walls in the southwest corner of the living room near the hallway entrance, in the hallway around the ceiling light fixture and on the north side of the kitchen ceiling. These are contraventions of Section III(1)(c) of the Minimum Housing and Health standards that states: "Building materials

that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”

- c. There was an electrical wire/cable coming out of the exterior of the home on the southwest wall and went down into the ground along the foundation. The wire/cable is not properly protected from weather or physical damage. In addition, there were exposed wires in the unfinished basement ceiling as well as an uncovered junction box with exposed wires. These are contraventions of Section IV(11) of the Minimum Housing and Health Standards that 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.”
- d. The flooring seams at the entrances of the two main floor bedrooms are lifting and being held in place with nails. This is in contravention of Section III(5) of the Minimum Housing and Health Standards that states: “All walls, windows, ceilings, floors, and floor covers shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easily to clean.”
- e. The arborite counter top in the kitchen is in disrepair. There are large gaps at the seams in the southeast corner as well as around and behind the kitchen sink. This is in contravention of Section IV(14)(iii) of the Minimum Housing and Health Standards that states: “Every housing premises shall be provided with a food preparation area, which includes a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.”
- f. There was a large hole in the south heat duct coming off the furnace in the basement. This is in contravention of Section IV(8)(a) of the Minimum Housing and Health Standards that states: “All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building.”
- g. The frame of the exterior door on the southeast side of the home is damaged and weathered and there are large gaps on the sides and bottom of the door. The exterior door on the north side of the home is warped and does not open. The window on the southwest side of the home is broken. The east window in the living room is cracked. The wooden windows in the home are in a state of disrepair as the frames are weather damaged and warped. These violations are contraventions of Section III(2)(b)(i) of the Minimum Housing and Health Standards that states: “All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.”
- h. There were signs of water infiltration on the northwest side of the basement as the rubberized coating on the walls and floor was bubbling. In addition, there were several large cracks and holes around the concrete foundation on the exterior of the home. Furthermore, the downspout on the southeast corner of the home does not extend away from the foundation of the home. These are violations of Section III(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.”
- i. The roof of the home must be assessed for damage particularly around the chimney as there are several areas on the ceiling and walls inside of the home where water infiltration is evident. This is a violation of Section III(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.”
- j. The bathroom on the main floor did not have mechanical ventilation and the wooden window above the shower stall was warped and would not open. In addition, the

makeshift bathroom in the unfinished basement was not ventilated. These are violations of Section IV(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."

- k. The junctions of the tiled tub surround in the main floor bathroom were not properly sealed. This is a violation of Section III(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."

**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 February 11, 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. The home must be provided with potable water at all faucets inside the home. As Total Coliforms were isolated on microbial testing and the fluoride concentration exceeds the Maximum Acceptable Concentration of 1.5 ppm as outlined in the Guideline for Canadian Drinking Water Quality, the water is not considered potable. If the existing water well is to be used, then an Alberta Health Services approved water treatment system can be installed. Another alternative is to install a potable drinking water cistern and have potable water trucked in from an Alberta Health Services approved water hauler. Drilling a new well may be an option however, it may be that the higher concentrations of naturally occurring fluoride would still be an issue in a new well in which case a water treatment system would still be required.
  - b. All water damaged ceilings and walls in the kitchen, living room and hallway must be repaired. Water damaged building materials must be removed, the open area assessed for structural stability and mold growth. All areas must be properly cleaned, sanitized and allowed to thoroughly air dry before new building materials are installed. All repairs must meet the requirements of the Alberta Building Code. Note that due to the age of the home, an asbestos assessment will be required prior to any work being completed. A copy of the assessment report must be submitted to the health inspector prior to any work being completed.
  - c. The electrical wire/cable that runs along the exterior of the home as well as the open junction box and exposed wires in the basement must be assessed and repaired by a certified electrician. All work must meet the requirements of the Canadian Electrical Code.
  - d. The flooring must be properly repaired so that the flooring is securely attached to the floor without the use of nails. Please note that if the flooring is going to be removed, it must be assessed for asbestos prior to removing.
  - e. The kitchen countertop must be repaired/replaced so that the surface is in good repair, smooth, easy to clean and impermeable to moisture. All junctions must be properly sealed.

- f. The hole in the heating duct in the basement must be repaired. The furnace must also be assessed by a certified technician to ensure it is in proper working condition.
  - g. Both of the exterior doors, frames and thresholds must be properly repaired/replaced so that the doors close tightly, can be locked and opened easily. All gaps around the doors must be properly sealed to ensure they are windproof, waterproof and weatherproof. The window on the southwest side of the home as well as the east living room window must be replaced and properly sealed. All wooden windows and frames must be repaired, sanded and painted to prevent further damage or new windows can be installed. Any windows that are intended to open must open easily, have locking mechanisms and intact screens in place.
  - h. The foundation and exterior of the home must be assessed for leaks. All holes and cracks must be repaired/sealed to prevent the infiltration of water and entry of pests. Areas must be assessed for structural damage and repaired as per the requirements of the Alberta Building Code. The downspout on the southeast corner of the home must be extended so water is diverted away from the foundation of the home.
  - i. The roof of the home must be assessed by a certified professional to ensure it is structurally sound and in good repair. The chimney and area around the chimney must also be assessed for damage and leaks. All repairs must meet the requirements of the Alberta Building Code.
  - j. The main floor bathroom must have a source of natural or mechanical ventilation. If natural ventilation is going to be used then the window and associated frame must be repaired/replaced so that the window opens easily, has a lock and intact screen in place. All surfaces in the washroom must be smooth, easy to clean and impermeable to moisture. The basement bathroom must have mechanical ventilation in place if it is going to be used, otherwise shut off the water supply to the shower.
  - k. The junctions of the tiled tub surround in the main floor bathroom must be properly sealed. Old caulking must be removed, the area cleaned and allowed to thoroughly dry prior to new caulking being installed. All junctions between the tub/walls, tub/floor must be properly sealed to prevent moisture infiltration.
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 Olds, Alberta, January 7, 2019

(Original signed)

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: <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](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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