

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

**To:** Mary Sproule Manuel  
"the Owner"

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

**RE:** Those housing premises located in Ponoka County, Alberta and municipally described as: SE 29-43-22 W4

**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. Electrical outlets were missing covers and electrical wiring was exposed.
- b. No working smoke alarm was observed at the sleeping area.
- c. Lack of heat on the main floor and top floor of the house.
- d. Mould was observed on walls near baseboards of the southwest basement bedroom.
- e. Outside deck was damaged and rotted.

**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. Several electrical outlets throughout the house had missing electrical covers. Exposed wiring was observed in the kitchen/living room space. These conditions are contrary to the requirements of the Minimum Housing and Health Standards M.O. 57/2012, section IV (11) 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."
- b. No working smoke alarm was observed in any sleeping area. This condition is contrary to the requirements of the Minimum Housing and Health Standards M.O. 57/2012, section IV (12) which states: "Smoke alarms within dwellings shall be installed between each sleeping room and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway."
- c. Furnace appeared to be on however ambient air temperature was measured at 12°C on the main floor. This condition is contrary to the requirements of the Minimum Housing and Health Standards M.O. 57/2012, section IV (8)(a) which 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."

- d. Baseboards and flooring throughout the house were in poor repair, damaged or rotted. Floors, walls, ceilings in the closet room located west of the kitchen were not properly finished. Flooring in the southwest bedroom was not properly finished. Main floor washroom appears rotted and damaged. These conditions are contrary to the requirements of the Minimum Housing and Health Standards M.O. 57/2012, section III (5) which states: "All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, and loose or lifting coverings and in a condition that renders it easy to clean."
- e. Window in the southeast basement bedroom appears to be stuck closed. Window in the northwest basement bedroom did not have a screen. Window in the upstairs southeast bedroom was stuck partially open and was not lockable. Window in the upstairs northeast bedroom did not have a lock. These conditions are contrary to the requirements of the Minimum Housing and Health Standards M.O. 57/2012, section III (3)(a) which states: "Exterior windows and doors shall be capable of being secured" and (3)(b)(ii) "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. Handrail at the front stairs was not properly secured and was loose. Top floor balcony guard was in poor repair. Handrails were missing from the downstairs basement exit. These conditions are contrary to the Minimum Housing and Health Standards M.O. 57/2012, section III (3)(c)(i) which 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."
- g. Southwest basement bedroom window had bubbling paint near the window wall indicating that there was evidence of water damage. Cracked windows were observed in several windows throughout the house. These conditions are contrary to the Minimum Housing and Health Standards M.O. 57/2012, section III (2)(b)(i) which states: "All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof."
- h. At the basement ceiling in the living room, what appears to be a main support beam has been cut to make room for a ventilation duct. Ceiling in the main floor living room appears to be sloping. This condition is contrary to the Minimum Housing and Health Standards M.O. 57/2012, section III (1)(a) which states: "The housing premises shall be structurally sound" and (1)(d) "Repairs or modifications required by the Executive Officer 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)."
- i. Fire place in the premise could not be confirmed to meet building code specifications. This condition is contrary to the Minimum Housing and Health Standards M.O. 57/2012, section III (1)(d) which states: "Repairs or modifications required by the Executive Officer 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)."
- j. Rotten deck material was observed at the large deck outside. This condition is contrary to the Minimum Housing and Health Standards M.O. 57/2012, section III (1)(a) which states: "The housing premises shall be structurally sound".
- k. Both bathrooms in the house did not have natural or mechanical ventilation. This condition is contrary to the Minimum Housing and Health Standards M.O. 57/2012, section IV (7)(c) which states: "All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation."

- I. Window screens were missing at several openable windows throughout the house. This condition is contrary to the Minimum Housing and Health Standards M.O. 57/2012, section III (2)(b)(iii) which states: “During the portion of the year when there is a need for protection against flies and other flying insects, every window or other device intended for ventilation shall be supplied with effective screens.”

**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 November 16, 2017.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Ensure missing electrical outlet covers and exposed wiring is properly replaced or repaired;
  - b. Install working smoke alarms between each sleeping area;
  - c. Ensure that all heating facilities within the housing premises are properly installed and maintained in good working condition, and is capable of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of at least 22°C. Confirmation that the heating facilities are in good working condition and complies with the requirements of the Alberta Building Code;
  - d. Ensure that all walls, ceilings, floors and floor coverings are in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders them easy to clean;
  - e. Ensure that all exterior windows and doors are capable of being secured;
  - f. Ensure that all windows are capable of providing unobstructed openings with areas not less than 0.35 square meters (3.8 sq ft) with no dimensions less than 380 mm (15 inches);
  - g. Ensure that all guards and balconies are maintained in good repair, and comply with the requirements of the Alberta Building Code or Professional Engineer Design;
  - h. Ensure that all exterior windows are maintained in good repair, free of cracks and weatherproof;
  - i. Ensure that the structure of the building, namely the load bearing support beam in the basement and ceilings in the property complies with the requirements of the Alberta Building Code or Professional Engineer Design;
  - j. Ensure that the fire place area complies with the requirements of the Alberta Building Code or Professional Engineer Design;
  - k. Building materials that have been damaged or show evidence of rot or deterioration shall be repaired or replaced; and
  - l. Ensure effective window screens are installed at all openable windows in the house.

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, November 23, 2017.

Confirmation of a verbal order issued to Mary Sproule Manuel on November 16, 2017.

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, Telus Plaza 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).

Health Legislation and regulations are available for purchase. Please contact 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).

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)

Template revised December 13, 2016

Copy: Ponoka County