

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

To: Victor Buhler, &
Nancy Power
“the Owners”

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

RE: Those premises located in Gainford, Alberta and municipally described as: Plan 385KS, Block 1, Lot 3, 6203 Highway 16 – 2nd floor rooms/suites.

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. Multiple suites have windows with loose hardware, deteriorating frames and ill-fitting panes which do not provide adequate weatherproofing.
- b. The building is undergoing renovations and requires building/safety code permits for building, plumbing, gas, electrical and fire safety.
- c. Common washrooms do not have natural or mechanical ventilation.

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. Multiple suites have windows with loose hardware, deteriorating frames and ill-fitting panes which do not provide adequate weatherproofing. This is in contravention of Section 2 (b) of Alberta Minimum Housing and Health Standards which states: *Windows and exterior doors (i) All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof. (ii) 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. (iii) 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.*
- b. The building is undergoing renovations and requires building/safety code permits for building, plumbing, gas, electrical and fire safety. This is in contravention of the Minimum Housing and Health Standards section 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).

- c. Common washrooms do not have natural or mechanical ventilation. This is in contravention of Section 7 (c) of Alberta 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.*

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 2nd floor of the premises are not occupied as November 10, 2022.**
2. That the Owners immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Repair or replace windows to provide security, make weatherproof and meet minimum egress requirements, install a sprinkler system or provide direct outside access.
 - b. Secure and make available upon request necessary building/safety code permits to allow for building occupancy.
 - c. Provide ventilation for common bathrooms.
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 Spruce Grove, Alberta, November 16, 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 visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Spruce Grove • Stan Woloshyn Bldg. • Environmental Public Health

205 Diamond Avenue, Spruce Grove, Alberta, Canada T7X 3A8

<https://www.ahs.ca/eph>