

## **ORDER OF AN EXECUTIVE OFFICER**

**To:** Avenue Living Communities Ltd.  
“the Owner”

**RE:** Those housing premises located in Brooks, Alberta and municipally described as:  
1023 3<sup>rd</sup> Avenue East - Unit 309

**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. Kitchen sink cupboard fronts are water damaged and fiberboard is deteriorating. Kitchen sink cupboard bottom fiberboard is rough and uneven from water damage.
- b. Gap noted between kitchen sink and kitchen counter.
- c. Poor sanitation by tenants is creating a nuisance as it creates a breeding ground for pests. Food debris is accumulating beneath fridge and stove and along base of kitchen cabinets.

**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. Kitchen sink cupboard fronts are water damaged and fiberboard is deteriorating. Kitchen sink cupboard bottom fiberboard is rough and uneven from water damage. This is a contravention of section IV(14)(a)(ii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes cupboards or other facilities suitable for the storage of food.
- b. Gap noted between kitchen sink and kitchen counter. This is a contravention of section IV(14)(a)(iii) of the Minimum Housing and Health Standards which states that: 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.
- c. Poor sanitation by tenants is creating a nuisance as it creates a breeding ground for pests. Food debris is accumulating beneath fridge and stove and along base of kitchen cabinets. This is a contravention of section III(2)(1) of the Public Health Act Nuisance and General Sanitation Regulation, 2003 which states that: No person shall create, commit or maintain a nuisance.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Replace sink cupboard fronts. Remove and replace base of sink cupboard.

- b. Ensure a tight seal between sink and counter to prevent water damage.
- c. Sanitation must be addressed by tenants, and if that fails, by intervention through Avenue Living Communities Ltd. or through a hired contractor. Pull out appliances and thoroughly clean floors under appliances and along cabinets and edges of kitchen floors.

2. The work referred to in paragraph 1 shall be completed by December 7, 2022.

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 Brooks, Alberta, November 10, 2022.

Confirmation of a verbal order issued to the Avenue Living Property Manager on November 7, 2022.

Executive Officer  
Alberta Health Services

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 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>

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Environmental Public Health

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Medicine Hat: Suite 200 – 88 Valleyview Dr SW T1A 8N6 | 403 502-8205 | Fax 1-403-592-4144

[www.albertahealthservices.ca](http://www.albertahealthservices.ca)