

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

**To:** *Trevor Stewardson* – Registered Owner  
“the Owner”

*Melissa Pajamaki* – Registered Owner  
“the Owner”

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

**RE:** Those housing premises located in IRVINE, Alberta and municipally described as: **54 Heather Court**; [Legal Description: Plan 7611211; Block 17; Lot 9]

**WHEREAS** I, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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. Mice droppings are evident in various locations throughout the house (kitchen cupboards, main floor washroom, basement floors, etc.).
- b. Water is not available at the taps in the house.
- c. The second bedroom on the main floor does not meet egress requirements; it is an awning window, and cannot be opened as its handle is broken.
- d. The three basement bedrooms do not meet egress requirements; each of the three horizontal slider windows measures 12” x 15” in its fully opened position.
- e. The first and second bedrooms in the basement are not provided with window screens.
- f. The screen for the back entry door is torn.
- g. A few light switches are cracked and broken.
- h. The switch plate at the bottom of the basement stairs is broken.
- i. The junction at the tiled kitchen and living room laminate floors is not properly transitioned/finished.
- j. The junction at the tiled hallway and second bedroom laminate floors is not properly transition/finished.
- k. The basement washroom ventilation fan is not ducted and effectively functional.
- l. The outside stairs and landing at the front entrance do not have hand and guard rails, respectively.
- m. The landing/deck outside at the front has an area of disrepair.
- n. The joint at the backsplash and counter behind the kitchen tap is deteriorated.
- o. The wired-in smoke alarm in the basement is missing.

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. Mice droppings are evident in various locations throughout the house (kitchen cupboards, main floor washroom, basement floors, etc.) which is in contravention of section V 16 (a) of the *Minimum Housing and Health Standards* which states that: "The owner shall ensure that the housing premises are free of insect and rodent infestations".
- b. Water is not available at the taps in the house which is in contravention of section IV 9 of the *Minimum Housing and Health Standards* which states that: "Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants."
- c. The second bedroom on the main floor does not meet egress requirements; it is an awning window, and cannot be opened as its handle is broken which is in contravention of section III 3 (b) of the *Minimum Housing and Health Standards* which states that: "For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge. (i) Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>), with no dimension less than 380 mm (15")."
- d. The three basement bedrooms do not meet egress requirements; each of the three horizontal slider windows measures 12" x 15" in its fully opened position which is in contravention of section III 3 (b) of the *Minimum Housing and Health Standards* which states that: "For buildings of 3 storeys or less and except where a bedroom door provides access directly to the exterior or the suite is sprinklered, each bedroom shall have at least one outside window which may be opened from the inside without the use of tools or special knowledge. (i) Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8 ft<sup>2</sup>), with no dimension less than 380 mm (15")."
- e. The first and second bedrooms in the basement are not provided with window screens which is in contravention of section III 2 (b) (iii) of the *Minimum Housing and Health Standards* which states that: "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."
- f. The screen for the back entry door is torn which is in contravention of section III 2 (b) (iii) of the *Minimum Housing and Health Standards* which states that: "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."
- g. A few light switches are cracked and broken which is in contravention of section IV 11 of the *Minimum Housing and Health Standards* which states that: "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."
- h. The switch plate at the bottom of the basement stairs is broken which is in contravention of section IV 11 of the *Minimum Housing and Health Standards* which states that: "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."

- i. The junction at the tiled kitchen and living room laminate floors is not properly transitioned/finished which is in contravention of section III 5 of the *Minimum Housing and Health Standards* which states that: "All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean."
- j. The junction at the tiled hallway and second bedroom laminate floors is not properly transition/finished which is in contravention of section III 5 of the *Minimum Housing and Health Standards* which states that: "All walls, windows, ceilings, floors, and floor coverings shall be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean."
- k. The basement washroom ventilation fan is not ducted and effectively functional which is in contravention of section IV 7 (c) of the *Minimum Housing and Health Standards* which states that: "All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation."
- l. The outside stairs and landing at the front entrance do not have hand and guard rails, respectively which is in contravention of section III 3 (c) of the *Minimum Housing and Health Standards* which states that: "Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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."
- m. The landing/deck outside at the front has an area of disrepair which is in contravention of section III 3 (c) of the *Minimum Housing and Health Standards* which states that: "Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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."
- n. The joint at the backsplash and counter behind the kitchen tap is deteriorated which is in contravention of section III 5 (b) of the *Minimum Housing and Health Standards* which states that: "Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean."
- o. The wired-in smoke alarm in the basement is missing which is in contravention of section IV 12 of the *Minimum Housing and Health Standards* which states that: "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 within the hallway. (a) Smoke alarms shall be operational and in good repair at all times."

AND WHEREAS, by virtue of the foregoing, the above noted premises is hereby declared to be **Closed for Tenant Accommodation Purposes**.

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

1. That the occupant(s) vacate the above noted premises on or before April 27, 2020.

2. That the owner(s) immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Secure the services of a pest control operator and ensure all corrective and preventative efforts are undertaken for the mice infestation.
  - b. Reconnect the water supply to the house or provide a rental agreement that stipulates that such utility services are the sole responsibility of the occupant.
  - c. Replace bedroom windows with ones that afford egress. Ensure the new windows provide an unobstructed opening with the stipulated area and dimensions.
  - d. Install the required window screens in the two basement bedrooms.
  - e. Install a new screen for the back entrance door.
  - f. Replace the damaged switches and switch plate with new ones.
  - g. Finish and properly transition the tiled and laminate floor junctions.
  - h. Complete installation (ducting, etc.) for the basement washroom ventilation fan.
  - i. Install hand and guard rails for stairs and landing at the front entrance.
  - j. Repair the outside deck/landing at the front.
  - k. Repair and properly finish the joint at the backsplash and counter behind the kitchen tap.
  - l. Install the required smoke alarm in the basement.
  
3. That until such time as the work referred to in paragraph 2 is completed to the satisfaction of the undersigned, or an Executive Officer of *Alberta Health Services*, the above noted premises shall remain vacant, secured from unauthorized entry, and **closed for tenant accommodation**.

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 Medicine Hat, Alberta, March 27, 2020

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| You have the right to appeal   |   |
| A person who   | a) is directly affected by a decision of a Regional Health Authority, and<br>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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