

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

To: Nikola Wandler
"the Owner"

And To: Kamala Wandler
"the Owner"

And To: All Occupants of the following Housing premises: 230080 Range Road 285, Rocky View County

RE: Those housing premises located in Rocky View County, Alberta and municipally described as: 230080 Range Road 285

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. There was a hose running from the septic tank to the back field indicating untreated sewage had been discharged.
- b. There was evidence the septic system was not functioning properly.
- c. There was no lid on the septic tank.
- d. Baseboards in basement washroom were water damaged from previous sewage back up.
- e. Most openable windows were missing insect screens or had damaged insect screens.
- f. The exterior door could not be fully closed.
- g. The exterior door could not be secured or locked.
- h. Light switch covers were missing throughout house.
- i. Electrical outlet covers were missing throughout house.
- j. There were no smoke alarms in the house.
- k. There was no ceiling in basement rooms, hallways, and bathroom.
- l. There were no flooring transition strips between different flooring types in basement.
- m. Baseboards were missing in main floor living room and main floor bedrooms.
- n. The bathroom fan in main floor three piece bathroom was not functioning.
- o. There was no fan or openable window in basement bathroom.
- p. There was no fan or openable window in main floor two piece bathroom.
- q. The toilet in the ensuite bathroom was not functional.
- r. There was no railing on stairs between basement and main floor.
- s. The window lock on the east basement bedroom was not functional.
- t. The pump room walls had mould growth.

- u. There was an accumulation of clutter, garbage, and cat feces throughout house.

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. There was a hose running from the septic tank to the back field indicating untreated sewage had been discharged. This is in contravention of Section 5(2) of the Alberta Housing Regulation, Alberta Regulation 173/99 which states: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
- b. There was evidence the septic system was not functioning properly. This is in contravention of Section 3(2) of the Alberta Housing Regulation, Alberta Regulation 173/99 which states: An owner shall ensure that the housing premises' plumbing system and facilities provided under subsection (1)(b) are free from defects and maintained in a proper operating condition.
- c. There was no lid on the septic tank. This is in contravention of Section 5(2) of the Alberta Housing Regulation, Alberta Regulation 173/99 which states: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
- d. Baseboards in basement washroom were water damaged from previous sewage back up. This is in contravention of section 5 of the Minimum Housing and Health Standards which states: 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.
- e. Most openable windows were missing insect screens or had damaged insect screens. This is in contravention of section 2(b)(iii) of the Minimum Housing and Health Standards 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 screen.
- f. The exterior door could not be fully closed. This is in contravention of section 2(b)(i) of the Minimum Housing and Health Standards which states: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- g. The exterior door could not be secured or locked. This is a contravention of section 3(a) of the Minimum Housing and Health Standards which states: Exterior windows and doors shall be capable of being secured.
- h. Light switch covers were missing throughout house. This is a contravention of section 11 of the Minimum Housing and Health Standards 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.
- i. Electrical outlet covers were missing throughout house. This is a contravention of section 11 of the Minimum Housing and Health Standards 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.
- j. There were no smoke alarms in the house. This is in contravention of the Minimum Housing and Health Standards section 12 which states: 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.
- k. There was no ceiling in basement rooms, hallways, and bathroom. This is in contravention of section 5 of the Minimum Housing and Health Standards which states: 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.
 - l. There were no flooring transition strips between different flooring types in basement. This is in contravention of section 5 of the Minimum Housing and Health Standards which states: 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.
 - m. Baseboards were missing in main floor living room and main floor bedrooms. This is in contravention of section 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.
 - n. The bathroom fan in main floor three piece bathroom was not functioning. This is a contravention of section 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.
 - o. There was no fan or openable window in basement bathroom. This is a contravention of section 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.
 - p. There was no fan or openable window in main floor two piece bathroom. This is a contravention of section 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.
 - q. The toilet in the ensuite bathroom was not functional. This is a contravention of section 6(c) of the Minimum Housing and Health Standards which states: All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
 - r. There was no railing on stairs between basement and main floor. This is in contravention of section 3(c)(i) of the Minimum Housing and Health Standards 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.
 - s. The window lock on the east basement bedroom was not functional. This is a contravention of section 3(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
 - t. The pump room walls had mould growth. This is in contravention of Section 5(2) of the Alberta Housing Regulation, Alberta Regulation 173/99 which states: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
 - u. There was an accumulation of clutter, garbage, and cat feces throughout house. This is in contravention of Section 5(2) of the Alberta Housing Regulation, Alberta Regulation 173/99 which states: No person shall cause or permit any condition in housing premises

that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.

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 June 30, 2024.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Remove hose from septic tank.
 - b. Provide documentation from a qualified professional stating that the septic system is functioning appropriately.
 - c. Replace the lid on septic tank.
 - d. Remove and replace water damaged baseboards, inspect walls behind baseboards for water damage and remove and replace any other water damaged materials in area where sewage back up occurred. Clean and disinfect area affected by backup.
 - e. Replace or repair insect screens on any openable windows.
 - f. Repair exterior door so that it can tightly close and is weatherproof.
 - g. Repair exterior door so that it can be secured.
 - h. Replace all missing light switch covers.
 - i. Replace all missing outlet covers.
 - j. Install working smoke alarms between each sleeping area.
 - k. Install ceiling in basement rooms, hallways, and bathroom.
 - l. Install flooring transition strips between different flooring types in basement.
 - m. Install baseboards in main floor living room and main floor bedrooms.
 - n. Repair bathroom fan in main floor three piece bathroom.
 - o. Install fan or openable window in basement bathroom.
 - p. Install fan or openable window in main floor two piece bathroom.
 - q. Repair toilet in the ensuite bathroom.
 - r. Install hand rail on stairs between basement and main floor.
 - s. Repair window lock on the east basement bedroom.
 - t. Identify and correct any source of water in the pump room, clean mould from hard non-porous material, and remove and replace any mouldy or water damaged porous material.
 - u. Remove all clutter and garbage and thoroughly clean and disinfect dwelling.
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 Calgary, Alberta, June 21, 2024
Confirmation of a verbal order issued to Nikola Wandler on June 19, 2024.

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>

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10101 Southport Road SW, Calgary, Alberta, Canada T2W 3N2

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