

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

To: Robert Gordon Simpson
"the Owner"

And Pat Bull
"the Owner"

And Jessica Dehaan
"the Owner"

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

RE: Those housing premises located in Foothills County, Alberta and municipally described as:
96256 338 Avenue E Foothills County AB, TA6 0J0

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. The south basement bedroom window was measured at approximately 22 inches by 22 inches which is too small for emergency egress.
- b. The front porch was visibly sloping towards the west and the wooden post below was observed to have a large crack down the middle.
- c. There was a missing handrail along the front porch stairs.
- d. There was a missing handrail along the basement stair case.
- e. There was a missing guardrail along the basement staircase.
- f. The walls around the basement stair case was not finished. The framing for the drywall was observed but no drywall was installed resulting in large gaps.
- g. The southeast window adjacent to the main floor east bedroom does not have a working lock.
- h. The roof above the north facing window (basement bathroom) was deteriorating.
- i. Water staining was observed on the ceiling outside of the main floor east bedroom and the ceiling located at the entrance of the basement staircase.
- j. The main floor east bedroom window was cracked and tape was observed. The south basement room (closest to the bathroom) window was broken.
- k. The caulking around the kitchen sink and behind the kitchen sink faucet was cracked and in disrepair.

- l. The wall around the sliding door in the living room was observed to be unfinished and insulation was exposed. A plastic sheet was observed to be taped around the area.
- m. The ceiling trim on the main floor living room was detaching from the drywall.
- n. There were several holes in the drywall throughout the property including the ceiling above the dining room area, around the main floor bathroom door frame, the bulk head in the south basement bedroom and adjacent to the door in the south basement bedroom.
- o. The basement stairs do not have any floor coverings.
- p. The kitchen counter trim in front of the sink and the dishwasher were missing.
- q. There were numerous nails protruding from wooden trim on the ceiling outside of the east main floor bedroom.
- r. The southeast window outside the main floor east bedroom had a torn insect screen.
- s. A light switch cover was missing in the living room.
- t. The landlord (Robert Gordon Simpson) had expressed on February 23, 2022 unwillingness to perform the work as outlined in the initial inspection report dated January 11, 2022. On May 30, 2022 a re-inspection was conducted and the smoke alarms were functional at the time of the inspection. The other violations listed in the report remain outstanding as of June 27, 2022.

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. The south basement bedroom window was measured at approximately 22 inches by 22 inches which is too small for emergency egress. This is in contravention of section III(3)(b)(ii) of the Minimum Housing and Health Standards which states that: Windows referred to in section III(3)(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
- b. The front porch was visibly sloping towards the west and the wooden post below was observed to have a large crack down the middle. This is in contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states that: 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.
- c. There was a missing handrail along the front porch stairs. This is in contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states that: 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.
- d. There was a missing handrail along the basement stair case. This is in contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states that: 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.
- e. There was a missing guardrail along the basement staircase. This is in contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states that: 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.

- f. The walls around the basement stair case was not finished. The framing for the drywall was observed but no drywall was installed resulting in large gaps. This 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.
- g. The southeast window adjacent to the main floor east bedroom does not have a working lock. This is in contravention of section III(3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.
- h. The roof above the north facing window (basement bathroom) was deteriorating. This is contravention of section III(2)(a) of the Minimum Housing and Health Standards which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- i. Water staining was observed on the ceiling outside of the main floor east bedroom and the ceiling located at the entrance of the basement staircase. This is in contravention of section III(1)(a,b) of the Minimum Housing and Health Standards which states that: the housing premises shall be structurally sound, and; basements, cellars or crawl spaces shall be structurally sound, and maintained in good repair and free from water infiltration and accumulation.
- j. The main floor east bedroom window was cracked and tape was observed. The south basement room (closest to the bathroom) window was broken. This is in contravention of section III(2)(b)(i) of the Minimum Housing and Health Standards which states that: All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof.
- k. The caulking around the kitchen sink and behind the kitchen sink faucet was cracked and in disrepair. This 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.
- l. The wall around the sliding door in the living room was observed to be unfinished and insulation was exposed. A plastic sheet was observed to be taped around the area. This 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.
- m. The ceiling trim on the main floor living room was detaching from the drywall. This 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.
- n. There were several holes in the drywall throughout the property including the ceiling above the dining room area, around the main floor bathroom door frame, the bulk head in the south basement bedroom and adjacent to the door in the south basement bedroom. This 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.
- o. The basement stairs do not have any floor coverings. This 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.

- p. The kitchen counter trim in front of the sink and the dishwasher were missing. This is in 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.
- q. There were numerous nails protruding from wooden trim on the ceiling outside of the east main floor bedroom. This 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.
- r. The southeast window outside the main floor east bedroom had a torn insect screen. This 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 where 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.
- s. A light switch cover was missing in the living room. This 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.
- t. The landlord (Robert Gordon Simpson) had expressed on February 23, 2022 unwillingness to perform the work as outlined in the initial inspection report dated January 11, 2022. On May 30, 2022 a re-inspection was conducted and the smoke alarms were functional at the time of the inspection. The other violations listed in the report remain outstanding as of June 27, 2022. This is a contravention of section 4 of the Public Health Act Housing Regulations, 173/99 which states that: An owner shall maintain the housing premises in compliance with the *Minimum Housing and Health Standards*, as approved and published by the Minister and as amended by the Minister from time to time.

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 August 1, 2022.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Fix, modify, or replace the bedroom windows so they meet emergency egress requirements outlined in section 3(b)(ii) of the Minimum Housing and Health Standards.
 - b. Hire a professional to assess and repair the porch. Provide documentation showing work completed to an Executive Officer with Alberta Health Services.
 - c. Install missing handrails.
 - d. Install missing guardrail.
 - e. Install missing drywall.
 - f. Install working window lock.

- g. Repair the roof above the north facing window.
 - h. Find and repair the source of water infiltration in the room adjacent to the east bedroom on the main floor and entrance of the basement staircase. Refinish the affected areas.
 - i. Repair the cracked and/or broken windows.
 - j. Remove damaged caulking and re-caulk.
 - k. Install missing wall coverings around the sliding door in the living room.
 - l. Properly install the ceiling trim in the main floor living room.
 - m. Repair the holes in the drywall.
 - n. Install proper floor coverings for the basement stairs.
 - o. Replace the missing the kitchen counter trim.
 - p. Ensure nails are not protruding out of the ceiling.
 - q. Repair torn insect screen.
 - r. Install missing light switch cover.
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 vacant and secure from unauthorized entry.

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 Okotoks, Alberta, June 27, 2022.

Confirmation of a verbal order issued to Robert Gordon Simpson on June 27, 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
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 Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or 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.

Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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