

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

**To:** DE BA XU Kevin Kuang  
"the Owner" "the Property Manager"

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

**RE:** Those housing premises located in Paintearth County, Alberta and municipally described as: 38401 Range Road 144

**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 septic cover is not secure.
- b. Domestic water supplied to the home is coming from the dug-out and is not potable.
- c. The front deck has no guard rail, no handrail leading up the stairs and the wood planks are in poor condition with holes.
- d. Windows in the three upstairs bedrooms could not be opened, as they are screwed shut. Tape was also observed around the windows.
- e. Windows throughout the home are not provided with screens.
- f. Electrical wires were loose and observed hanging from some walls.
- g. There is no handrail on the stairs leading upstairs or into the basement.
- h. There are two rooms in the basement, and one is being used as a bedroom. The window does not meet egress requirements.

**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 septic system cover is not securely in place. This is in contravention of Section 2 of the Housing Regulation, Alberta Regulation 173/99 which states that: "An owner shall ensure that the housing premises' plumbing system and facilities provided under subsection (1)(b) are free from defects and maintained in proper operating condition."
- b. Potable water is not being provided to the home. This is a contravention of the Housing Regulation, Alberta Regulation 173/99 Section 3(1)(b)(iii) which states that: "Subject to subsection (3) and section 4, an owner shall ensure that the occupants of the housing premises are supplied with adequate running hot and cold water that is safe for human consumption."
- c. The front deck planks are in poor condition and the deck does not have a guard rail or handrail leading up the stairs. This is a contravention of Section 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. Windows in the upstairs bedrooms were screwed closed and observed with tape around them. This is a contravention of Section 3(b)(i) 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.”
- e. Windows are not provided with screens. This is a contravention of Section 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. Electrical wires were observed hanging from walls. This is a contravention of Section 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.”
- g. Handrails are not provided on stairs leading upstairs or leading to the basement. This is a contravention of Section 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.”
- h. One of the basement rooms is being used as a bedroom and the window does not meet egress requirements. This is a contravention of Section 3(b)(ii) of the Minimum Housing and Health Standards which states that: “Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).”

**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, 2024.
2. That the Owner ensures that the occupants vacate the above noted premises on or before August 1, 2024.
3. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Secure the septic tank cover.
  - b. Immediately provide potable water for drinking, cooking and showering to the tenants. Potable water must be provided to the home. Surface water sources need to be filtered to remove cysts like *Cryptosporidium* and *Giardia* and then disinfected to control bacteria and viruses. Water must meet the Public Health guidelines for non-municipal drinking water. Alternatively, a cistern may be used to haul potable water or a water well drilled. Recommend checking with an

- Executive Officer prior to purchasing and installing any equipment to ensure it will be satisfactory.
- c. Repair the front deck so it is in good condition and meets the requirements of the Alberta Building Code.
  - d. Windows must be capable of being opened without any special knowledge or tools and have an unobstructed opening with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).
  - e. Windows must be provided with screens.
  - f. A journeyman electrician must ensure the electrical in the home is safe and installed as intended.
  - g. Handrails are required on the stairs leading upstairs and to the basement.
  - h. The basement bedroom must not be used for sleeping purposes or the windows will need to be upgraded to have an unobstructed opening with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”). Proper flooring will also be required and a smoke alarm between the basement bedrooms.
4. 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 Stettler, Alberta, June 3, 2024.

Confirmation of a verbal order issued to Kevin Kuang, Property Manager on June 3, 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](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>.

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**Copies of standards are available by visiting:** <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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