

## **ORDER OF AN EXECUTIVE OFFICER CLOSED FOR TENANT ACCOMMODATION PURPOSES**

**To:** Walter Rosolowsky  
"the Owner"

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

**RE:** Those housing premises located in Sylvan Lake, Alberta and municipally described as:  
5009 44 Street (Basement/Lower level)

**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 bedroom window (facing the back of the home) does not provide an adequate unobstructed opening for emergency egress.
- b. Several windows are in disrepair and cannot be secured.
- c. The shower enclosure is in poor repair and not sanitary with excessive scale and dirt buildup.

**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 bedroom window (facing the back of the home) provides an unobstructed opening for emergency egress of approximately 3.25 square feet (468 square inches with the following dimensions: 19.5 inches by 24 inches). This condition is in contravention of section III (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 0.35m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380mm (15")."
- b. Several windows are in disrepair and cannot be secured including window pane frames and window frames. This condition 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."
- c. Several windows are missing screens or screens are in disrepair. This condition 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."

- d. Several windows are missing a window pane. This condition is in contravention of section III 2(b)(ii) of the Minimum Housing and Health Standards which states that: "In a housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer."
- e. Furnace room window trim is missing. This condition 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."
- f. The shower enclosure is not properly sealed, and is not in a sanitary condition with excessive scale and dirt buildup. This condition 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." This is also in contravention of section III 5(a) of the Minimum Housing and Health Standards which states that: "Rooms containing a flush toilet and/or a bathtub or shower shall have walls and floors that are smooth, non-absorbent to moisture and easy to clean. All walls shall form a watertight joint with each other, the floor, the ceiling and where applicable with the bathtub or shower."
- g. Surface mold is present and the paint is lifting on the washroom window sill/trim. This condition 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." This is also 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."
- h. The door leading to common area is damaged (trim and door). This condition is in contravention of section III 1(c) of the Minimum Housing and Health Standards which states that: "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced."
- i. Wood transition strip on the floor is broken. This condition 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."

**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 Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Repair or replace the bedroom window (facing the back of the home) to ensure that it provides an unobstructed opening for emergency egress with an area not less than  $0.35\text{m}^2$  ( $3.8\text{ft}^2$ ) and no dimension less than 380mm (15").
  - b. Ensure all windows are repaired and capable of being secured.
  - c. Repair or replace all missing screens or screens in disrepair.

- d. Ensure all windows with missing window pane(s) are repaired to ensure they protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier.
  - e. Install window trim around the window in the furnace room.
  - f. Ensure the shower is either thoroughly cleaned and all buildup is removed or replace the shower with one that is in acceptable sanitary condition.
  - g. Ensure the shower is properly sealed and watertight. All areas including where pipes enter the shower and any exposed raw wood must be repaired to protect against water infiltration and absorption.
  - h. Ensure all surface mold on the washroom window sill/trim is thoroughly cleaned and the lifting paint is repaired.
  - i. Ensure the door leading to common area is repaired.
  - j. Ensure the wood transition strip on the floor is repaired.
2. 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 Red Deer, Alberta, March 4, 2019

Confirmation of a verbal order issued to Bill Lakatos on February 28, 2019 and Walter Rosolowsky on March 4, 2019.

(Original Signed)  
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: <http://www.health.alberta.ca/about/PHAB.html>

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).

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](http://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: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)