

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

**To:** James Kaminski  
2577551 Alberta Ltd.  
“the Owners”

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

**RE:** Those housing premises located in Wetaskiwin, Alberta and municipally described as:  
5201 48 Avenue

**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. Potable water is not being supplied to the premises.
- b. The interior pane of the living room window is broken.
- c. The interior pane of the window in the front entrance area is broken.
- d. There are no window screens installed in the large bedroom, small bedroom, and bathroom.
- e. Several switch plates and electrical outlet covers are missing or damaged.
- f. The light fixture in the stairwell that connects the main floor, and second floor does not work.
- g. The walls throughout the premises are in disrepair.
- h. There are plumbing pipes in the small bedroom that are in disrepair.
- i. There is no door handle or lock installed on the front door.
- j. The window in the bathroom on the second floor does not close.
- k. The bottom sliding window sash has been removed from the window in the small bedroom.
- l. There are no guards installed for the stairs that connects the main floor and the second floor.
- m. There are no handrails installed for the stairs that connects the main floor and the second floor.
- n. The back sliding door does not close and lock properly.
- o. The premises is not being maintained in a clean and sanitary condition.
- p. There is an accumulation of flies in the premises especially in the kitchen and in the bathroom on the main floor.
- q. There are no smoke alarms installed.

**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. Potable water is not being supplied to the premises. This is in contravention of Section 9 of the Minimum Housing and Health Standards, which states, “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.”
- b. The interior pane of the living room window is broken. 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.”
- c. The interior pane of the window in the front entrance area is broken. 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.”
- d. There are no window screens installed in the large bedroom, small bedroom, and bathroom. 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 screens.”
- e. Several switch plates and electrical outlet covers are missing or damaged. This is in contravention of Section 11 of the Minimum Housing and Health Standards, which states, “Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”
- f. The light fixture in the stairwell that connects the main floor, and second floor does not work. This is in contravention of Section 11 of the Minimum Housing and Health Standards, which states, “Outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.”
- g. The walls throughout the premises are in disrepair. This is in contravention of Section 5, 5(a), and 5(b) of the Minimum Housing and Health Standards, which state, “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.” “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.” “Rooms and sections of rooms that are used for food preparation and cooking shall have walls constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.”, respectively.
- h. There are plumbing pipes in the small bedroom that are in disrepair. This is in contravention of Section 6(a, c) of the Minimum Housing and Health Standards, which states, “The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pump out sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.”
- i. There is no door handle or lock installed on the front door. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states, “Exterior windows and doors shall be capable of being secured.”

- j. The window in the bathroom on the second floor does not close. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states, “Exterior windows and doors shall be capable of being secured.”
- k. The bottom sliding window sash has been removed from the window in the small bedroom. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states, “Exterior windows and doors shall be capable of being secured.”
- l. There are no guards installed for the stairs that connects the main floor and the second floor. This is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which states, “Guards shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.”
- m. There are no handrails installed for the stairs that connects the main floor and the second floor. This is in contravention of Section 3(c)(i) of the Minimum Housing and Health Standards, which states, “Handrails shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.”
- n. The back sliding door does not close and lock properly. This is in contravention of Section 3(a) of the Minimum Housing and Health Standards, which states, “Exterior windows and doors shall be capable of being secured.”
- o. The premises is not being maintained in a clean and sanitary condition. This is in contravention of Section 16 of the Minimum Housing and Health Standards, which states, “The owner shall ensure that all rooms and other areas used in common by the occupants of the individual dwellings are maintained in a clean and sanitary condition.”
- p. There is an accumulation of flies in the premises especially in the kitchen and in the bathroom on the main floor. This is in contravention of Section 16(a) of the Minimum Housing and Health Standards, which states, “The owner shall ensure that the housing premises are free of insect and rodent infestations.”
- q. There are no smoke alarms installed. This is in contravention of Section 12 of the Minimum Housing and Health Standards, 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.”

**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 2, 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. Ensure the premises is supplied with potable water of sufficient volume, pressure and temperature to serve the needs of the inhabitants by 3:30PM on July 9, 2024, and as long as the premises is inhabited.
  - b. Ensure the living room window is maintained in good repair, free of cracks and weatherproof.
  - c. Ensure the window in the front entrance area is maintained in good repair, free of cracks and weatherproof.
  - d. Ensure every window intended for ventilation is supplied with effective screens.

- e. Ensure all outlets and switches are properly covered, installed, and maintained in a good and safe working condition.
  - f. Ensure the light fixture in the stairwell that connects the main floor, and second floor is properly installed and maintained in a good and safe working condition.
  - g. Ensure all walls are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean. Ensure all walls in the bathroom 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. Ensure rooms and sections of rooms that are used for food preparation and cooking (such as the kitchen) have walls constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
  - h. Ensure the plumbing pipes in the small bedroom are maintained in a proper operating condition.
  - i. Ensure the front door is capable of being secured.
  - j. Ensure the window in the bathroom on the second floor is capable of being secured.
  - k. Ensure the window in the small bedroom is capable of being secured.
  - l. Ensure guards for the stairs that connects the main floor, and the second floor are installed, maintained in good repair, and comply with the requirements of the Alberta Building Code or a Professional Engineer design.
  - m. Ensure handrails for the stairs that connects the main floor, and the second floor are installed, maintained in good repair, and comply with the requirements of the Alberta Building Code or a Professional Engineer design.
  - n. Ensure the back sliding door is capable of being secured.
  - o. Ensure the premises is maintained in a clean and sanitary condition.
  - p. Ensure the premises is free of insect infestation.
  - q. Ensure smoke alarms are 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.
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 Wetaskiwin, Alberta, July 8, 2024  
Confirmation of a verbal order issued to James Kaminski on July 8, 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>.

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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Copy: City of Wetaskiwin