

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

To: Sean McInnes
"the owner"

RE: 463 11th Street, Fort Macleod, Alberta

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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 the prevention or suppression of disease, namely:

- a) No operational smoke alarms in the premises;
- b) A bedroom window is spray foamed shut and cannot be opened preventing emergency egress;
- c) Cracked and detached linoleum;
- d) Rotting walls, mold growth and water damage in bathroom and kitchen.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Regulations there under exist in and about the above noted premises, namely:

- a) There are no operational smoke alarms. This is in contravention of section 12(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.
- b) A bedroom window is spray foamed shut and cannot be opened preventing emergency egress. This is in contravention of section 3(1)(a)(ii) of the Housing Regulation which states that: an owner shall ensure that the housing premises are in a safe condition. And section 3(b) of the Minimum Housing and Health Standard, which states for building of 3 stories or less and except where a bedroom door provides access directly to the exterior of 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.
- c) The linoleum is detached and lifting. 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.

- d) The wall in the kitchen and bathroom show signs of water damage and rot. This is in contravention of section 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. And 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.

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. Install an operational smoke alarm in correct location of premises.
 - b. Repair or preplace bedroom window that has been foam sealed shut so it is available for emergency egress.
 - c. Attach, repair or replace all linoleum and ensure it is free of cracks and other defects.
 - d. Assess the water damage in bathrooms and kitchen, determine the origin of the water and take the steps necessary to prevent it from happening again.
 - e. Replace all the rotting, moldy walls in the bathroom and kitchen and ensure these areas are properly refinished.

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 to tenant accommodation purposes.

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, Telus Plaza North Tower
10025 Jasper Avenue NW
Edmonton, AB T5J 1S6
Phone: 780-427-2813
Fax: 780-422-0914
E-mail: health.appealboard@gov.ab.ca

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.

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: www.health.alberta.ca/about/health-legislation.html