

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

To: Rick Van Pelt
"the Owner"
John Van Pelt
"the Owner"

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

RE: Those housing premises located in Lethbridge, Alberta and municipally described as:
Unit 3, 2309 – 13 Street N

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. There was a severe cockroach infestation in the unit. Cockroaches in every stage of their lifecycle were noted throughout the unit.
- b. There were holes in the flooring in the kitchen.
- c. The screens in the kitchen window were ripped and torn.
- d. The cupboard under the sink in the kitchen was water damaged.
- e. There were holes in the walls throughout the unit.
- f. The fan in the upstairs washroom did not work.
- g. The bathroom vanity in the upstairs washroom was in disrepair.
- h. The heating vent covers were missing throughout the unit.
- i. The door to the home was not properly weatherproof along the sides and bottom of the door.
- j. The flooring in the basement was water damaged. The floorboards were separating and chipping.
- k. The toilet in the basement bathroom did not work.

- l. The fan in the basement bathroom did not work.
- m. The vanity in the basement bathroom was coming away from the wall.
- n. The ceiling in the basement bathroom was cracked and peeling above the shower.
- o. The tiles around the vanity in the basement bathroom were missing grout.

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. There was a severe cockroach infestation in the unit. Cockroaches in every stage of their lifecycle were noted throughout the unit which is in contravention of section V(16)(a) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.
- b. There were holes in the flooring in the kitchen which is in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
- c. The screens in the kitchen window were ripped and torn which 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. The cupboard under the sink in the kitchen was water damaged which 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.
- e. There were holes in the walls throughout the unit which 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 fan in the upstairs washroom did not work which is in contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
- g. The bathroom vanity in the upstairs washroom was in disrepair which is in contravention of section 3(1)(a)(iii) of the Housing Regulation which states that: an owner shall ensure that the housing premises are in good repair.

- h. The heating vent covers were missing throughout the unit which 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.
- i. The door to the home was not properly weatherproof along the sides and bottom of the door which 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.
- j. The flooring in the basement was water damaged. The floorboards were separating and chipping which 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.
- k. The toilet in the basement bathroom did not work which is in contravention of section IV(6)(a) of the Minimum Housing and Health Standards which states that: 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, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
- l. The fan in the basement bathroom did not work which is in contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
- m. The vanity in the basement bathroom was coming away from the wall which is 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.
- n. The ceiling in the basement bathroom was cracked and peeling above the shower which is 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.
- o. The tiles around the vanity in the basement bathroom were missing grout which is 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.

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 October 31, 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. Have a professional pest controller in to deal with the cockroaches.
 - b. Repair the kitchen flooring.
 - c. Repair the screens in the unit.
 - d. Repair the cupboard under the kitchen sink.
 - e. Repair the walls in the unit.
 - f. Repair the fan in the upstairs washroom.
 - g. Repair the upstairs bathroom vanity.
 - h. Ensure all heating vents have appropriate covers.
 - i. Install weatherstripping on the door to the unit. Ensure it is wind, water and weatherproof.
 - j. Replace the flooring in the basement
 - k. Repair the toilet. Ensure that it is in good working condition.
 - l. Repair the fan in the basement bathroom.
 - m. Repair the vanity. Ensure that it forms a watertight seal with the wall.
 - n. Repair the ceiling above shower.
 - o. Repair the tiled area around the vanity. Ensure that it is smooth and easily cleanable.
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 Lethbridge, Alberta, October 28, 2022
Confirmation of a verbal order issued to Rick Van Pelt on October 28, 2022.

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
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>

Environmental Public Health – South Zone

801 1 Avenue S Lethbridge, AB T1J 4L5

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