

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

To: Govind Reddy
"the Owner"

&

Cheyenne Tilley
"The Owner"

And To: All Occupants of the following Housing premises:

RE: Those housing premises located in Lethbridge, Alberta and municipally described as:
295 Mt. Crandell Crescent W.

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 trim, drywall and doorframe were destroyed after the front door was apparently kicked in. The door itself appeared to be in poor condition as well.
- b. Multiple window screens were either missing or were severely damaged.
- c. Multiple finishing issues noted. These include, but are not limited to:
 - i) Missing baseboards in various areas.
 - ii) Hole in living room wall near kitchen.
 - iii) Loose and lifting transition strip between living room and kitchen.
 - iv) Severely dented wall in kitchen.
 - v) A portion of the wall behind the kitchen sink was peeling off and cracking.
 - vi) There was a hole in the wall behind the main floor toilet.
 - vii) There was a chunk of unsanded drywall mud that was used to patch a previous hole. This was near the main floor bathroom.

- viii) The newly installed drywall under the sink was not painted or finished at all.
- ix) There were multiple steps with missing nosing.
- d. The edge of the kitchen counter, nearest to the back door, was completely unfinished. There was no counter edging, only bare wood.
- e. The bottom surface of the cupboard under the sink had multiple areas with bare uncovered wood.
- f. One of the kitchen cupboard shelves was not properly installed. The back corner collapsed even under light weight.
- g. The bottom surface of the corner cupboard appeared to be either mouldy or in a very poor state of sanitation.
- h. There was no waterproof seal where the counter met the wall.
- i. There were unsealed cracks where sections of counter come together.
- j. The bottom grating of the fridge had fallen off.
- k. There was a lot of the previous tenants' belongings and garbage that remained inside and outside of the property.
- l. The exterior electrical outlet had a broken cover.
- m. There was a vent cover completely missing on the back of the house. This exposed a large hole for mice to enter.
- n. The exterior water tap handle had been destroyed.
- o. The flashing on the back door frame was bent and pulled away from the wall.
- p. The home was in a poor sanitary condition.
- q. The basement railing was not built according to Alberta building code.
- r. The covered vent above the washer and dryer was full of debris.
- s. The back door handle was loose.
- t. There were no smoke alarms.
- u. One bedroom was missing a door (it was found broken in another room).
- v. The bottom surface of the upstairs bathroom cabinet was water damaged, peeling, bubbling and severely stained.

- w. The upstairs bathroom floor was warped and spongy. The subfloor is likely rotted from moisture damage.
- x. The bathtub surface was in poor condition. The finished was covered in small holes, flaked off enamel and significantly scratched leaving the tub surface with sharp edges.
- y. There were no baseboards in parts of the bathroom and the sealing between the floor and wall was in poor condition.

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 trim, drywall and doorframe were destroyed after the front door was apparently kicked in. The door itself appeared to be in poor condition as well, 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.
- b. Multiple window screens were either missing or were severely damaged, 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.
- c. Multiple finishing issues noted, 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.
- d. The edge of the kitchen counter, nearest to the back door, was completely unfinished. There was no counter edging, only bare wood, which is in contravention of section IV(14)(a)(iii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.
- e. The bottom surface of the cupboard under the sink had multiple areas with bare uncovered wood, which is in contravention of section IV(14)(a)(ii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: cupboards or other facilities suitable for the storage of food.
- f. One of the kitchen cupboard shelves was not properly installed. The back corner collapsed even under light weight, 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.

- g. The bottom surface of the corner cupboard appeared to be either mouldy or in a very poor state of sanitation, 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.
- h. There was no waterproof seal where the counter met the wall, 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.
- i. There were unsealed cracks where sections of counter come together, 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.
- j. The bottom grating of the fridge had fallen off, which is in contravention of section IV(14)(a)(iv) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4°C.
- k. There was a lot of the previous tenants' belongings and garbage that remained inside and outside of the property, which is in contravention of section 5(2) of the Housing Regulation which states that: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
- l. The exterior electrical outlet had a broken cover, which is in contravention of section IV(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.
- m. There was a vent cover completely missing on the back of the house. This exposed a large hole for mice to enter, which is in contravention of section 5(2) of the Housing Regulation which states that: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
- n. The exterior water tap handle had been destroyed, 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.

- o. The flashing on the back door frame was bent and pulled away from the wall, 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.
- p. The home was in a poor sanitary condition, which is in contravention of section 5(2) of the Housing Regulation which states that: No person shall cause or permit any condition in housing premises that is or may become injurious or dangerous to the public health, including any condition that may hinder in any way the prevention or suppression of disease.
- q. The basement railing was not built according to Alberta building code, which is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.
- r. The covered vent above the washer and dryer was full of debris, which is in contravention of section IV(8)(a)(i) of the Minimum Housing and Health Standards which states that: All heating facilities within a housing premises are to be properly installed and maintained in good working condition, and be *capable* of safely and adequately heating all habitable rooms, bathrooms, and toilet rooms within the building to a temperature of at least 22°C(71°F), or maintained at a temperature of at least 22°C(71°F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- s. The back door handle was loose, 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.
- t. There were no smoke alarms, which is in contravention of section IV(12) of the Minimum Housing and Health Standards which states that: 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.
- u. One bedroom was missing a door (it was found broken in another room), 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.
- v. The bottom surface of the upstairs bathroom cabinet was water damaged, peeling, bubbling and severely stained, 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.
- w. The upstairs bathroom floor was warped and spongy. The subfloor is likely rotted from moisture damage, 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.

- x. The bathtub surface was in poor condition. The finished was covered in small holes, flaked off enamel and significantly scratched leaving the tub surface with sharp edges, 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.

- y. There were no baseboards in parts of the bathroom and the sealing between the floor and wall was in poor condition, 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 **June 12, 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. Replace/repair all damaged areas around the front door.
 - b. Ensure all openable windows have intact insect screens.
 - c. Repair all damaged finishes.
 - d. Ensure kitchen counter is sealed, moisture resistant and easily cleanable.
 - e. Ensure the inside of the cupboard is properly finished so it is moisture resistant.
 - f. Ensure cupboards and shelves are in good condition.
 - g. Ensure any mould is removed and ensure all cupboards are clean and sanitary.
 - h. Ensure the kitchen counter has a watertight seal with the wall.
 - i. Ensure any cracks between the sections of counter are watertight and easily cleanable.
 - j. Ensure the fridge is in proper operating condition.
 - k. Remove all belongings and garbage from the previous tenants.

- l. Replace the broken exterior electrical outlet cover.
 - m. Ensure all vent holes on the exterior of the house are covered and pest-proof.
 - n. Replace the water tap handle.
 - o. Repair the damaged flashing.
 - p. Thoroughly clean the entire house.
 - q. Ensure the basement railing meets the Alberta Building Code requirements.
 - r. Clean out the stuffed/blocked vent.
 - s. Ensure the back door handle is properly installed.
 - t. Ensure there is a working smoke alarm in the hall between the bedrooms.
 - u. Ensure the bedroom has a door.
 - v. Repair/replace the bottom of the upstairs bathroom cabinet.
 - w. Remove the floor, remove any damaged building materials below, replace the floor and properly seal it against moisture.
 - x. Resurface or replace the bathtub.
 - y. Install baseboards where necessary and ensure everything is sealed against moisture.
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, June 12, 2024
Confirmation of a verbal order issued to Cheyenne Tilley on June 10, 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
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>

Lethbridge • Melcor Centre • South Zone

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www.albertahealthservices.ca/eph.asp