

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

**To:** Tommy and Bobbi Chiu  
"the Owner"

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

**RE:** Those housing premises located in Cardston, Alberta and municipally described as: 335  
2 Avenue West, Unit 104.

**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. Cockroaches were observed throughout the unit, suggesting there is an infestation.
- b. Door handle to the fridge was removed.
- c. Radiant heating protective covers were removed or damaged in various locations. The heat transfer fins were damaged, which could limit the heating efficiency of the heating system.
- d. Window screens were damaged or missing on bedroom windows.
- e. Electrical light switch covers were damaged.
- f. Finishes, including walls, closet doors, the bathroom door, and the bathroom vanity were damaged and needing repair.
- g. The bathroom tub appeared to leak onto the floor next to the toilet. There was a strong smell of urine in the washroom.
- h. The smoke detector was not properly installed and not operational.

**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. Cockroaches were observed throughout the unit, suggesting there is an infestation. This 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. Door handle to the fridge was removed. This 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 degrees C. (400F).

- c. Radiant heating protective covers were removed or damaged in various locations. The heat transfer fins were damaged, which could limit the heating efficiency of the heating system. This is in contravention of Section IV(14)(a)(iv) 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 ; (i) at least 220C(710F), or (i) maintained at a temperature of at least 220C(710F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- d. Window screens were damaged or missing on bedroom windows. This 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
- e. Electrical light switch covers were damaged. This 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.
- f. Finishes, including walls, closet doors, the bathroom door, and the bathroom vanity were damaged and needing repair. 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. (a) 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. (b) 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.
- g. The bathroom tub appeared to leak onto the floor next to the toilet. There was a strong smell of urine in the washroom. This is in contravention of Section IV(6)(c) of the Minimum Housing and Health Standards which states that: Every housing premises shall be connected to the public sewage system, or to an approved private sewage disposal system. All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- h. The smoke detector was not properly installed and not operational. This 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. (a) Smoke alarms shall be operational and in good repair at all times.

**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 **November 11, 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. Contract a pest control company to treat this unit and all areas of the building, and as recommended by the pest professional.
  - b. Replace the door handle to the fridge. Ensure fridge and stove are thorough washed and disinfected.
  - c. Ensure radiant heating covers are replaced. Any damaged fins need to be replaced to ensure proper heating of the unit.
  - d. All openable windows and sliding patio doors need to have the screens repaired or replaced.
  - e. Ensure all electrical outlets, including light switches and electrical outlets have proper covers that are not damaged.
  - f. All damaged walls, flooring, baseboards, trim, closets and cabinets are repaired and maintained in good condition. Any building material that is mouldy and rotten needs to be replaced. Bathroom requires watertight seal between floor and walls. Bathroom vanity needs to be repaired.
  - g. Determine source of leak in the washroom (either toilet or tub) and ensure they are properly repaired so that they no longer leak.
  - h. Repair/replace smoke detector to ensure it is current and proper functioning.
  
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 20, 2022  
Confirmation of a verbal order issued to Tommy Chiu on October 20, 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](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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<https://www.ahs.ca/eph>