

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

To: Fred Covey
"the Owner"

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

RE: Those housing premises located in Lethbridge, Alberta and municipally described as:
50 Heather Road N, Basement Suite.

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 no working smoke alarm for the unit.
- b. The only window in the suite, located in one of the two bedrooms did not meet emergency egress requirements for size.
- c. The bedroom window did not close and seal properly.
- d. The screen for the bedroom window was not attached to the frame.
- e. The second bedroom did not have a window.
- f. There was mould along the bottom of the wall in the back bedroom.
- g. Finishing issues throughout the unit including but not limited to:
 1. Flooring throughout the unit was in disrepair.
 2. Walls throughout the unit were in disrepair.
 3. Door frames throughout the unit were in disrepair.
 4. Ceiling throughout the unit was in disrepair.
 5. The door to the unit was in disrepair.
 6. The door latch and latch plate were bent.

7. There was a small square hole in the wall from the shared laundry room into the bathroom tub area.
 8. The walls in the tub/shower are not waterproof.
- h. The bathroom vanity was in disrepair.
 - i. The faucet knobs for the tub/shower were in disrepair.
 - j. There was no form ventilation for the bathroom.
 - k. The kitchen faucet was loose and not properly sealed to the sink.
 - l. Electrical covers were missing throughout the unit.
 - m. The light switch in the back bedroom was in disrepair.

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 no working smoke alarm for the unit which is in contravention of section IV(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. The only window in the suite, located in one of the two bedrooms did not meet emergency egress requirements for size which is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15").
- c. The bedroom window did not close and seal properly 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.
- d. The screen for the bedroom window was not attached to the frame 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.
- e. The second bedroom did not have a window which is in contravention of section III(3)(b) of the Minimum Housing and Health Standards which states that: For buildings of 3 stories or less and except where a bedroom door provides access directly to the exterior or 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.
- f. There was mould along the bottom of the wall in the back bedroom 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.

- g. Finishing issues throughout the unit including but not limited to:
1. Flooring throughout the unit was in disrepair.
 2. Walls throughout the unit were in disrepair.
 3. Door frames throughout the unit were in disrepair.
 4. Ceiling throughout the unit was in disrepair.
 5. The door to the unit was in disrepair.
 6. The door latch and latch plate were bent.
 7. There was a small square hole in the wall from the shared laundry room into the bathroom tub area.
 8. The walls in the tub/shower are not waterproof.

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

AND

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.

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.

- h. The bathroom vanity was in disrepair 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.
- i. The faucet knobs for the tub/shower were in disrepair 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.
- j. There was no form ventilation for the bathroom 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.
- k. The kitchen faucet was loose and not properly sealed to the sink which is in contravention of section 3(2) of the Housing Regulation which states that: an owner shall ensure that the housing premises' plumbing system and facilities provided under subsection (1)(b) are free from defects and maintained in proper operating condition.

- l. Electrical covers were missing throughout the unit 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. The light switch in the back bedroom was in disrepair 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.

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 19, 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. Install a working smoke alarm that is less than 10 years old.
 - b. Ensure the bedroom window meets emergency egress requirements of at least 3.8 square feet of openable, unobstructed space with no dimension less than 15 inches.
 - c. Ensure the bedroom window can close and seal properly and that it is capable of being secured.
 - d. Repair the screen on the bedroom window.
 - e. Install a window in the second bedroom or ensure that this room is NOT used for sleeping purposes.
 - f. Remove and repair all mouldy and water damaged building materials throughout the suite.
 - g. Repair/replace the flooring, walls and ceiling, door frames and doors in the suite. Repair the wall in the shower/tub area and ensure that it is waterproof.
 - h. Repair/replace the bathroom vanity.
 - i. Repair the knobs for the tub.
 - j. Install a fan or openable window in the bathroom.
 - k. Replace the missing electrical covers. Ensure they are all in good repair.
 - l. Repair the light switch in the back bedroom.

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 25, 2022
Confirmation of a verbal order issued to Fred Covey on October 21, 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>