

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

To: Angie's Best Choice Property Management
&
Bruce Hantelman
"the Owner"

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

RE: Those housing premises located in Medicine Hat, Alberta and municipally described as:
575 5 Street SE – Attic 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 is a large hole in the ceiling (approximately 1 metre in length) that exposed loose vermiculite insulation. Vermiculite is a known asbestos-containing material and can pose a serious health risk to occupants if the material is exposed to living areas and disturbed.
- b. There is a strong putrid cat waste odour throughout the premises. Prolonged exposure to nuisance odours and indoor air contaminants can cause adverse health effects in occupants.
- c. The premises is very unkempt and cluttered with personal belongings, pet supplies/accessories, garbage, and debris throughout each room making movement and accessibility in the premises very limited, and impedes egress in case of emergencies. This can lead to potential fire hazards, unclean air, excessive dust, odours, or pest infestations inside the premises.
- d. Ceiling light fixtures in the premises are missing covers. This can pose fire and health risks for occupants.
- e. There is a large hole in the living room ceiling (approximately 1 metre in length) and there are damages to the walls in various locations, such as entrance doorway and living room. This can lead to unsanitary conditions inside the premises and mould growth on unfinished surfaces.
- f. It has been reported that no forced air from main furnace reaches this unit; hence, there is no adequate heat to keep occupants warm in the fall and winter months.

- g. Bedroom window is completely blocked by a wooden board that is securing an air conditioning unit out the window. This prohibits any secondary means of egress in case of emergencies if bedroom door is blocked. As well, there is no ventilation in this room which can provide an environment for high condensation and mould growth.
- h. Smoke alarm is broken and the lid is missing. This lack of emergency alert poses a risk to occupants by impeding escape during an emergency.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act, Housing Regulation, Alberta Regulation 173/99, the Nuisance and General Sanitation Regulation Alberta Regulation 243/2003, and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. There is a large hole in the ceiling (approximately 1 metre in length) that exposed loose vermiculite insulation. This is in contravention of the Nuisance and General Sanitation Regulation section 2(1) and Housing Regulation section 5(2) which states 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.
- b. There is a strong putrid cat waste odour throughout the premises. This is in contravention of the Nuisance and General Sanitation Regulation section 2(1) and Housing Regulation section 5(2) which states 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.
- c. The premises is very unkempt and cluttered with personal belongings, pet supplies/accessories, garbage, and debris throughout each room making movement and accessibility in the premises very limited, and impedes egress in case of emergencies. This is in contravention of the Nuisance and General Sanitation Regulation section 2(1) and Housing Regulation section 5(2) which states 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.
- d. Ceiling light fixtures in the premises are missing covers. This is in contravention of the Minimum Housing and Health Standards section 11 which states outlets, switches and fixtures shall be properly installed and shall be maintained in a good and safe working condition.
- e. There is a large hole in the ceiling (approximately 1 metre in length) that exposed loose vermiculite insulation. There are damages to the walls in various locations, such as entrance doorway and living room. This is in contravention of the Minimum Housing and Health Standards section 5 which states 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. It has been reported that no forced air from main furnace reaches this unit. This is in contravention of the Minimum Housing and Health Standards section 8 (a) which states all

heating facilities within a housing premises are to be properly installed and maintained in good working condition.

- g. Bedroom window is completely blocked by a wooden board that is securing an air conditioning unit out the window. This is in contravention of the Minimum Housing and Health Standards section 3(b) which states windows shall provide unobstructed openings with areas not less than 0.35 square metres (3.8 sq.ft) with no dimension less than 380 mm (15 inches).
- h. Smoke alarm is broken and the lid is missing. This is in contravention of the Minimum Housing and Health Standards section 12 which states smoke alarms shall be operational and in good repair at all times.
- i. Bedroom window is completely blocked by a wooden board that is securing an air conditioning unit out the window. This is in contravention of the Minimum Housing and Health Standards section 4(a) & (b) which states all rooms used for sleeping shall be provided with:
 - a) openable window area of 0.28 sq.m (3.0 sq.ft); or
 - b) mechanical ventilation in conformance with the requirements of the Alberta Building Code.

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 August 11, 2017, at 12:00 pm MT.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Asbestos-containing materials (ACM) shall be managed in accordance with the current "Alberta Asbestos Abatement Manual". Where ACMs are identified/suspected and pose a risk to the general public, an "Environmental Consultant" or contractor competent/experienced with asbestos identification and abatement procedures is required to assess any areas where ACMs or associated fibres may be located for the purposes of positively identifying and developing a remediation plan. Remediation is then required to be conducted in accordance with the current "Alberta Asbestos Abatement Manual". Remediation measures may include one or more of the following:
 - i. Removal,
 - ii. Encapsulation,
 - iii. Enclosure,
 - iv. Implementation of Management Plan, and
 - v. Other measures as determined by an Executive Officer, Alberta Health Service
 - b. Ensure that the premises is maintained in a clean, sanitary, and vermin-free condition. This includes removal of personal belongings, pet supplies/ accessories, garbage, and debris throughout the premises that can cause a nuisance or pest infestation.

- c. Ensure that the premises is heated properly and any and all corrections or modifications of any heating and venting system of said place shall be made under the supervision of a Safety Codes Officer in the heating / gas utilities discipline.
 - d. Provide a bedroom window that has an unobstructed opening with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”).
 - e. Ensure that the floors, walls, and ceiling in the living room, kitchen, and bathroom areas are in good repair, free of cracks, holes, loose or lifting coverings.
 - f. Ensure smoke alarms are operational and in good repair at all times.
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 Medicine Hat, Alberta, August 8, 2017
Confirmation of a verbal order issued to Angie's Best Choice Property Management and Tenant on August 8, 2017.

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, Alberta, T5J 1S6
Phone: 780-222-5186
Fax: 780-422-0914
Email: HealthAppealBoard@gov.ab.ca
Website: <http://www.health.alberta.ca/about/PHAB.html>

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

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www.albertahealthservices.ca/eph.asp