

ALBERTA REGULATION 173/99

Public Health Act

HOUSING REGULATION

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Definitions

1 In this Regulation,

- (a) "Act" means the *Public Health Act*;
- (b) "housing premises" means any structure that is used or intended to be used wholly or partly for accommodation purposes and includes
  - (i) an apartment building,
  - (ii) a dormitory,
  - (iii) a dwelling,
  - (iv) a hotel or motel,
  - (v) a lodging house,
  - (vi) a mobile home, and
  - (vii) a rooming house;
- (c) "owner" means the registered owner and any agent of the owner in actual or apparent possession or control of land or premises.

## Application

2 This Regulation does not apply to housing premises or to that part of the housing premises that is occupied solely by the owner and the owner's dependants.

## Owner's obligations

**3(1)** Subject to subsection (3) and section 4, an owner shall ensure that

- (a) the housing premises are
  - (i) structurally sound,
  - (ii) in a safe condition,
  - (iii) in good repair, and
  - (iv) maintained in a waterproof, windproof and weatherproof condition;
- (b) the occupants of the housing premises are supplied with adequate
  - (i) sanitary facilities, including a sanitary drainage system or private sewage disposal system,
  - (ii) heating facilities that are capable of maintaining a habitable indoor temperature, if the housing premises are used or intended for use during all or part of the period from September 1 in one year until May 1 in the following year,
  - (iii) running hot and cold water that is safe for human consumption, and
  - (iv) space for sleeping purposes;
- (c) the common areas of the housing premises, its fixtures and any furnishings provided by the owner are maintained in a clean and sanitary condition.

**(2)** 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.

**(3)** An executive officer of the region in which the housing premises are located may exempt its owner from the requirements of subsections (1)(b)(i) and (iii) and (2) where the owner supplies and maintains an alternative system regarding the requirements under those subsections that is satisfactory to the executive officer.

## Maintenance standards

4 An owner shall maintain the housing premises in compliance with the *Minimum Housing and Health Standards*, as approved and published by the Minister and as amended by the Minister from time to time.

## Prohibitions

5(1) No person shall occupy or permit the occupation of housing premises in respect of which an order under section 62(4)(b) of the Act is in effect.

(2) 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.

AR 173/99 s5; 251/2001

## Repeal

6 The *Housing Regulation* (AR 241/85) is repealed.

## Expiry

7 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on August 31, 2011.

AR 173/99 s7; 354/2003

## Coming into force

8 This Regulation comes into force on September 1, 1999.