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

To: Don Lien
   “the Owner”

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

RE: Those housing premises located in Morinville, Alberta and municipally described as: 212 Grandin Drive (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. The smoke alarm outside the bedroom is in disrepair. The smoke alarm appeared expired and does not have a replace by date visible.
b. The window in the bedroom is too small when opened for emergency egress. The openable area of the bedroom window is 17 inches by 10 inches.
c. The openable area of the bedroom window is insufficient for ventilation.
d. The exterior windows are not capable of being secured.
e. Two windows in the suite did not have insect screens at the time of inspection (bedroom, living room).
f. The flooring in the bedroom and bathroom is in disrepair. There are holes in the floors revealing damaged wood material.
g. The finishes throughout the home are in disrepair: there are holes in the floor in the bedroom and bathroom, there is a hole in the wall in the bedroom, the caulking is in disrepair around the bathtub/shower surround, and the cupboard door is missing on the cupboard under the kitchen sink.
h. The tenant reported electrical irregularities with the lights in the living room and kitchen. There are loose low voltage wires around the electrical panel.
i. The sticker on the furnace indicates the last service was in 1995.
j. The mechanical ventilation ducting in the bathroom is not adequate (ducting leads to window in the laundry room).

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 smoke alarm outside the bedroom is in disrepair. The smoke alarm appeared expired and does not have a replace by date visible. This is in contravention of section 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.”

b. The window in the bedroom is too small when opened for emergency egress. The openable area of the bedroom window is 17 inches by 10 inches. This is in contravention of section 3(b)(i-iv) of the Minimum Housing and Health Standards which states that; “(i) For buildings of 3 storeys 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. (ii) Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15”). (iii) If the window referred in section 3(b)(i) is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge. (iv) Notwithstanding section 3(b)(i), (ii) and (iii), alternate provisions for emergency egress may be approved by an executive officer where, after consultation with a safety codes officer, the executive officer is satisfied that the alternate provisions provide for means of emergency egress.”

c. The openable area of the bedroom window is insufficient for ventilation. This is in contravention of section 4 (i) of the Minimum Housing and Health Standards which states that; “All rooms used for sleeping shall be provided with (a) an openable window area of 0.28m² (3.0ft²); or (b) mechanical ventilation in conformance with the requirements of the Alberta Building Code.”

d. The exterior windows are not capable of being secured. This is in contravention of section 3 (a) of the Minimum Housing and Health Standards which states that: “Exterior windows and doors shall be capable of being secured.”

e. Two windows in the suite did not have insect screens at the time of inspection (bedroom, living room). This is in contravention of section 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.”

f. The flooring in the bedroom and bathroom is in disrepair. There are holes in the floors revealing damaged wood material. This is in contravention of section 1(b & c) of the Minimum Housing and Health Standards which states that; “(b) Basement, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration or accumulation. (c) Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.”

g. The finishes throughout the home are in disrepair: there are holes in the floor in the bedroom and bathroom, there is a hole in the wall in the bedroom, the caulking is in disrepair around the bathtub/shower surround, and the cupboard door is missing on the cupboard under the kitchen sink. This is in contravention of section 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.”

h. The tenant reported electrical irregularities with the lights in the living room and kitchen. The electrical outlet without GFI switch is in close proximity to the laundry machine plumbing and the electrical panel appears unsafe. This is in contravention of section 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.”
i. The sticker on the furnace indicates the last service was in 1995. This is in contravention of section 8 (a) 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…”

j. The mechanical ventilation ducting in the bathroom is not adequate (ducting leads to window in the laundry room). This is in contravention of section 7 (c) of the Minimum Housing and Health Standards which states that: “All rooms containing a flush toilet and/or a bathtub or shower shall be provided with natural or mechanical ventilation.”

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 April 17 2017.

2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
   a. Repair or replace the smoke alarm. Note: Units older than 10 years old should be replaced due to incidents of increased failure rates.
   b. Install a window in the bedroom that meets emergency egress requirements or install an approved sprinkler system, in accordance with building code and permit requirements.
   c. Install adequate natural or mechanical ventilation for the bedroom.
   d. Ensure all windows and exterior doors are capable of being secured.
   e. Ensure openable windows are equipped with effective insect screens.
   f. Ensure all building materials that have been damaged or show evidence of rot or other deterioration are be repaired or replaced. Repairs or modifications may require the design and/or supervision of a professional engineer or a Safety Codes Officer (electrical, building, heating and ventilation, plumbing, or other discipline). Reports must be provided to Alberta Health Services.
   g. Ensure finishes in the house are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
   h. The suite requires inspection by a qualified electrician or Safety Codes Officer to ensure the electrical system is safe.
   i. A thorough assessment and service of the heating system and its components in the building is required. A report from the assessment and service must be provided to Alberta Health Services.
   j. Install adequate mechanical ventilation in the bathroom.

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 St. Albert, Alberta, April 11 2017

Confirmation of a verbal order issued by telephone to Don Lien April 11 2017.

_______ (Original Signed) _______
Karah Harvey, CPHI(C)
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, 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
Order of an Executive Officer – Closed for Tenant Accommodation – Order to Vacate
RE: The premises located in Morinville, Alberta and municipally described as: 212 Grandin Drive (Basement Suite)

St. Albert • St. Albert Public Health Centre • Environmental Public Health
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www.albertahealthservices.ca/eph.asp