

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

To: Costin Antonescu
"the Owner"

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

RE: Those housing premises located in Banff, Alberta and municipally described as: 119 Nahanni Drive

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. Strong sewage odour noted in crawl space that is located below second floor washroom and is accessed on landing between first and second floors. Plumbing pipes and vent were noted in this crawl space.
- b. Water damage on dining room beam and garage beam.
- c. Second floor washroom toilet running continuously.
- d. Trim and insulation not completed around exterior windows.
- e. Stair railing from front entrance to upstairs is wobbly and not affixed securely.
- f. Only one railing on exterior concrete stairs leading to front entrance.
- g. Rotting and damaged cabinet below kitchen sink.
- h. Kitchen faucet loose and leaking.
- i. Area around bathtub surround is water damaged/soft and repaired with tape.
- j. Baseboards missing in most of unit with the exception of upstairs living area.
- k. Stairs leading to the basement are not properly finished, do not have nosing and have rough surfaces that could be a tripping hazard.
- l. Carpet is ripped/frayed/damaged at entrance to kitchen, in living room, up living room stairs, and at entrance to upstairs bedroom.
- m. Tiles on bathtub surround in upstairs washroom are damaged and cracked.
- n. Electrical outlet covers are missing on a number of locations including kitchen backsplash, kitchen wall, living room, bathroom, front entrance, basement, and garage. Electrical wires from disconnected doorbell are exposed.
- o. Wall in the bathroom by the bathtub / toilet is water damaged.
- p. Flooring is water damaged in upstairs bathroom.
- q. Vent covers missing at front entrance and downstairs landing. Vent cover in kitchen does not fit properly.
- r. Screen on sliding door to back yard is ripped.
- s. A number of walls have flaking paint, exposed drywall mud or are unfinished.
- t. Back deck has loose boards, popping nails, and wood is deteriorating/rotting.

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. Strong sewage odour noted in crawl space that is located below second floor washroom and is accessed on landing between first and second floors. Plumbing pipes and vent were noted in this crawl space. This 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.
- b. Water damage on dining room beam and garage beam. This 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.
- c. Second floor washroom toilet running continuously. This 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.
- d. Trim and insulation not completed around exterior windows. 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.
- e. Stair railing from front entrance to upstairs is wobbly and not affixed securely. This is in contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.
- f. Only one railing on exterior concrete stairs leading to front entrance. This is in contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.
- g. Rotting and damaged cabinet below kitchen sink. This 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.
- h. Kitchen faucet loose and leaking. This 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.
- i. Area around bathtub surround is water damaged/soft and repaired with tape. This is in contravention of 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.
- j. Baseboards missing in most of unit with the exception of upstairs living area. 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.
 - k. Stairs leading to the basement are not properly finished, do not have nosing and have rough surfaces that could be a tripping hazard. 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.
 - l. Carpet is ripped, frayed, and buckled at entrance to kitchen, in living room, up living room stairs, and at entrance to upstairs bedroom. 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.
 - m. Tiles on bathtub surround in upstairs washroom are damaged and cracked. This is in contravention of 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.
 - n. Electrical outlet covers are missing in a number of locations including kitchen backsplash, kitchen wall, living room, bathroom, front entrance, basement, and garage. Electrical wires from disconnected doorbell are exposed. 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.
 - o. Wall in the bathroom by the bathtub / toilet is water damaged. This is in contravention of 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.
 - p. Flooring is water damaged in upstairs bathroom. This is in contravention of 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.
 - q. Vent covers missing at front entrance and downstairs landing. Vent cover in kitchen does not fit properly. 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.
 - r. Screen on sliding door to back yard is ripped. 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.

- s. A number of walls have flaking paint, exposed drywall mud or are unfinished. 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.
- t. Back deck has loose boards, popping nails, and wood is deteriorating/rotting. This is in contravention of section III(3)(c)(i) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, shall be maintained in good repair and shall comply with the requirements of the Alberta Building Code or a Professional Engineer design.

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 15, 2021.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Qualified plumber must assess and repair source of sewage odour and plumbing deficiencies, including toilet repairs.
 - b. Remove water damaged material on dining room and garage wall/beam and ensure any leaks are repaired.
 - c. Trim and insulation must be completed around all exterior windows.
 - d. Ensure railing from main floor to upstairs is secure and stable.
 - e. Add additional railing on outside concrete steps.
 - f. Replace rotting and damaged materials beneath kitchen sink.
 - g. Repair kitchen faucet and ensure it does not leak.
 - h. Remove water damaged building material in second floor washroom around bathtub surround, fill holes, and ensure area around bathtub is permanently sealed to prevent water damage.
 - i. Provide baseboards in all living areas where they are missing/joint between wall and floor is unfinished.
 - j. Refinish stairs leading to basement so they are smooth, have appropriate nosing, and are not a tripping hazard.
 - k. Replace carpet where it is frayed, damaged or buckling to prevent any tripping hazards and ensure carpet is cleanable.
 - l. Remove and repair water damaged areas on wall and floor in second floor washroom and ensure surfaces are smooth, sealed, and easily cleanable.
 - m. Replace missing covers/plates on electrical outlets and eliminate any exposed wires.
 - n. Replace missing vent covers and ensure that they fit properly.
 - o. Replace ripped screen on sliding door.
 - p. Repaint any walls that are unfinished, have exposed drywall mud, or are flaking.

- q. Eliminate physical hazards on back deck including rotting materials, loose boards, and popping nails.
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 Banff, Alberta, September 8, 2021
Confirmation of a verbal order issued to Costin Antonescu on September 8, 2021.

Executive Officer
Alberta Health Services

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 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: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

Template revised Feb 20, 2020

AIRDRIE Regional Health Centre

604 Main Street South
Airdrie, AB T4B 3K7
Phone: 403-912-8400
Fax: 403-912-8410

BANFF Health Unit

303 Lynx Street
PO Box 1266
Banff, AB T1L 1B3
Phone: 403-762-2990
Fax: 403-762-5570

CALGARY - Southport Atrium

10101 Southport Road SW
Calgary, AB T2W 3N2
Phone: 403-943-2288
Fax: 403-943-8056

CANMORE Public Health

#104, 800 Railway Avenue
Canmore, AB T1W 1P1
Phone: 403-678-5656
Fax: 403-678-5068

CLARESHOLM Health Unit

5221 2nd Street W
PO Box 1391
Claresholm, AB T0L 0T0
Phone: 403 625-4061
Fax: 403-625-4062

COCHRANE Community Health Centre

60 Grande Boulevard
Cochrane, AB T4C 0S4
Phone: 403-851-6000
Fax: 403- 851-6009

OKOTOKS Health and Wellness Centre

11 Cimarron Common
Okotoks, AB T1S 2E9
Phone: 403-995-2600
Fax: 403-995-2639

STRATHMORE Public Health Office

650 Westchester Road
Strathmore, AB T1P 1H8
Phone: 403-361-7200
Fax: 403-361-7244

www.albertahealthservices.ca/eph.asp