

ORDER OF AN EXECUTIVE OFFICER FOR REPAIR

To: **Geordie Nokes** **Pedro Brito**
 "Owner" "Contractor"

927676 Alberta Ltd
"Owner"

RE: Municipally known as 10027/29 – 114 Street Suite A Edmonton, Alberta

WHEREAS I, an **Executive Officer** of **Alberta Health Services**, have inspected the above 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 the prevention or suppression of disease, namely:

- a. There was water damage on the ceiling in the kitchen around the light fixture.
- b. The hand sink in the bathroom was pulling away from the wall.
- c. There was water damage on the ceiling in the dining room.
- d. There was wall damage above and below the dining room window and the living room window.
- e. The rear burner for the stove was not functioning.
- f. There was no functioning smoke alarm on the ceiling outside the bedroom
- g. The bathroom window was single paned.
- h. The door was cracked by the locking device and being held together by two metal brackets.
- i. There was a severe sewage backup seen in the basement area.

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 water damage on the ceiling in the kitchen around the light fixture which is 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.
- b. The hand sink in the bathroom was pulling away from the wall which is contravention of Housing Regulation section 5(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.

- c. There was water damage on the ceiling in the dining room which is 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.
- d. There was wall damage above and below the dining room window and the living room window which is 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. The rear burner for the stove was not functioning which is contravention of section IV(14)(a)(i) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a stove and a refrigerator that are maintained in a safe and proper operating condition. The refrigerator shall be capable of maintaining a temperature of 4 degrees C.
- f. There was no functioning smoke alarm on the ceiling outside the bedroom which is contravention of section IV(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.
- g. The bathroom window was single paned which is contravention of section III(2)(b)(ii) of the Minimum Housing and Health Standards which states that: In housing premises intended for use during the winter months, windows in habitable rooms shall protect against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Officer.
- h. The door was cracked by the locking device and being held together by two metal brackets which is 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 weather proofed.
- i. There was a severe sewage backup seen in the basement area which is 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.

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared Closed for Tenant Occupancy Purposes.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. As this home was built prior to 1990 you must retain the services of an **Environmental Consultant or Industrial/Occupational Health Hygienist, be approved by Alberta Health Services and prior to any renovations being completed you must have the Environmental Consultant** assess the conditions within the above noted premises including performing applicable sampling for

asbestos containing materials. This testing must be performed prior to the commencement of repairs.

- b. In the event asbestos is present **provide Environmental Public Health with a written asbestos management/abatement plan in accordance with the Alberta Occupational Health and Safety Code for Asbestos abatement.**
 - c. A full assessment of the sanitary sewage system for the entire premises is required by a qualified plumber. This report must indicate that the present sanitary sewage system is capable of handling sewage created by all 12 suites in the complex.
 - d. Ensure that all water damaged materials are removed and the wall area repaired. Ensure all building materials that have been damaged or show evidence of rot or other deterioration are repaired or replaced.
 - e. Ensure that the suite door is repaired or replaced. Ensure that all windows and exterior doors are maintained in good repair, free of cracks and weatherproof.
 - f. Repair or replace the bathroom window to include two window panes. Ensure that all the housing premises intended for use during the winter months, windows in habitable rooms is protected against cold weather through the provision of a storm sash, double glazing, or other durable thermal/air resistant barrier as may be approved by the Executive Office.
 - g. Repair all damaged walls. Ensure all walls and floors are smooth, non-absorbent to moisture and easy to clean.
 - h. Repair the gas stove rear burner. Ensure that the stove and a refrigerator are maintained in a safe and proper operating condition.
 - i. Ensure that the premises is equipped with a functioning smoke alarm outside the bedroom on the ceiling.
2. The work referred to in paragraph 1 shall be completed by **17 May, 2017**.

Be Advised:

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 Edmonton, Alberta, 23 March, 2017

_____ (Original Signed) _____

Ingrid Bohac, CPHI(C)
Executive Officer
Alberta Health Services

tel: (780) 735-1787 **fax:** (780) 735-1801

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.