

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

**To:** Nicholas Stamatakis  
"the Owner"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
10562 92 Street NW  
**(Lot 6, Block 12, Plan RN23)**

**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:

**Common Area**

- a. The premise was not supplied with running potable hot and cold water.
- b. The furnace was powered by an extension cord that ran along the basement suite kitchen.
- c. The furnace was not properly vented to the exterior premises.
- d. There were multiple electrical outlet plate covers missing throughout the premises.
- e. The rear entrance door window was single paned.
- f. There was a handrail missing on the stairs leading to the main floor suite from the rear entrance.
- g. There was no handrail installed on the stairs leading to the common area from the basement suite (rear entrance).
- h. There were loose light fixtures and protruding/exposed wires throughout the premises.
- i. The walls, ceilings and floors were unfinished or constructed of an unfinished material throughout the premises.
- j. The front entrance guard height was measured at 30 inches.
- k. The front entrance guard spindle width was measured and ranged between five to seven inches.
- l. The front entrance guard was loose and not secured.
- m. There was no operational smoke alarm installed throughout the premises.

**Basement Suite**

- a. The west bedroom west window pane was cracked.
- b. The west bedroom west window screen was missing.
- c. The west bedroom north window was single paned.

- d. The west bedroom north window did not provide a sufficient unobstructed open space for emergency egress.
- e. There was evidence of water damage on the east drywall of the west bedroom.
- f. The east bedroom window panes were broken. The bedroom windows were boarded up.
- g. The east bedroom window did not provide a sufficient unobstructed open space for emergency egress.
- h. There was evidence of water damage on the ceiling of east bedroom.
- i. The bathroom was not equipped with natural or mechanical ventilation.
- j. The bathroom toilet was not operational.
- k. The bathroom hand sink was not operational.
- l. The bathroom bathtub/shower was not operational.
- m. The kitchen faucet was not secured to its base.
- n. The stove was not operational.
- o. The south living room window pane was broken.

#### **Main Floor Suite**

- a. The kitchen cabinet faces had lifted and detached.
- b. There was a hole at the top of the kitchen sink basin, as the spray nozzle attachment was missing.
- c. There was evidence of water damage on the base of the kitchen cabinet (under the sink).
- d. The south living room window crank was broken.
- e. The east living room window pane was broken.
- f. The west bedroom window was screwed shut and did not provide a sufficient unobstructed open space for emergency egress.
- g. The bathroom caulking had lifted and detached.
- h. The bathroom was not equipped with natural or mechanical ventilation.
- i. The east bedroom window pane was broken and boarded up.
- j. The east bedroom window did not provide a sufficient unobstructed open space for emergency egress.

**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:

#### **Common Area**

- a. The premise was not supplied with running potable hot and cold water. This is in contravention of section IV(9) of the Minimum Housing and Health Standards which states that: Every building used in whole or in part, as housing premises shall be supplied with a potable water supply of sufficient volume, pressure and temperature to serve the needs of the inhabitants.
- b. The furnace was powered by an extension cord that ran along the basement suite kitchen. 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.

- c. The furnace was not properly vented to the exterior premises. This is in contravention of section IV(8)(a)(i) 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, bathrooms, and toilet rooms within the building to a temperature of at least 220C(710F), or maintained at a temperature of at least 220C(710F) when the control of the supplied heat in a dwelling is the responsibility of a person other than the occupant.
- d. There were multiple electrical outlet plate covers missing throughout the premises. 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.
- e. The rear entrance door window was single paned. This is in 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.
- f. There was a handrail missing on the stairs leading to the main floor suite from the rear entrance. This is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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. There was no handrail installed on the stairs leading to the common area from the basement suite (rear entrance). This is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.
- h. There were loose light fixtures and protruding/exposed wires throughout the premises. 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.
- i. The walls, ceilings and floors were unfinished or constructed of an unfinished material throughout the premises. 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.

- j. The front entrance guard height was measured at 30 inches. This is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.
- k. The front entrance guard spindle width was measured and ranged between five to seven inches. This is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.
- l. The front entrance guard was loose and not secured. This is in contravention of section III(3)(c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.
- m. There was no operational smoke alarm installed throughout the premises. This is in 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.

#### **Basement Suite**

- a. The west bedroom west window pane was cracked. This is in 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 weatherproof.
- b. The west bedroom west window screen was missing. 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.
- c. The west bedroom north window was single paned. This is in 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.
- d. The west bedroom north window did not provide a sufficient unobstructed open space for emergency egress. This is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).
- e. There was evidence of water damage on the east drywall of the west bedroom. 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.
- f. The east bedroom window panes were broken. The bedroom windows were boarded up. This is in 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 weatherproof.
  - g. The east bedroom window did not provide a sufficient unobstructed open space for emergency egress. This is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).
  - h. There was evidence of water damage on the ceiling of east bedroom. 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.
  - i. The bathroom was not equipped with natural or mechanical ventilation. This is in contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
  - j. The bathroom toilet was not operational. This is in contravention of section IV(7)(a) of the Minimum Housing and Health Standards which states that: The washbasins and bathtub or shower shall be supplied with potable hot and cold running water.
  - k. The bathroom hand sink was not operational. This is in contravention of section IV(7)(a) of the Minimum Housing and Health Standards which states that: The washbasins and bathtub or shower shall be supplied with potable hot and cold running water.
  - l. The bathroom bathtub/shower was not operational. This is in contravention of section IV(7)(a) of the Minimum Housing and Health Standards which states that: The washbasins and bathtub or shower shall be supplied with potable hot and cold running water.
  - m. The kitchen faucet was not secured to its base. This is in contravention of section IV(6)(c) of the Minimum Housing and Health Standards which states that: All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
  - n. The stove was not operational. This is in 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.
  - o. The south living room window pane was broken. This is in 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 weatherproof.

#### **Main Floor Suite**

- a. The kitchen cabinet faces had lifted and detached. 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.

- b. There was a hole at the top of the kitchen sink basin, as the spray nozzle attachment was missing. This is in contravention of section IV(6)(c) of the Minimum Housing and Health Standards which states that: All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- c. There was evidence of water damage on the base of the kitchen cabinet (under the 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.
- d. The south living room window crank was broken. This is in 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 weatherproof.
- e. The east living room window pane was broken. This is in 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 weatherproof.
- f. The west bedroom window was screwed shut and did not provide a sufficient unobstructed open space for emergency egress. This is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).
- g. The bathroom caulking had lifted and detached. 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.
- h. The bathroom was not equipped with natural or mechanical ventilation. This is in contravention of section IV(7)(c) of the Minimum Housing and Health Standards which states that: All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation.
- i. The east bedroom window pane was broken and boarded up. This is in 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 weatherproof.
- j. The east bedroom window did not provide a sufficient unobstructed open space for emergency egress. This is in contravention of section III(3)(b)(i) of the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).

**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 January 3, 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. As this home was built prior to 1970 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 and carrying out of environmental air quality analyses of the interior spaces (including if applicable the attic, wall and floor cavities, and crawlspaces) for water and mould damage. Ensure that any additional renovation work, including painting, reinstallation of drywall and laying of new flooring and/or sub floors does not occur until suitable air sample results are received and are to the satisfaction of Alberta Health Services. Please refer to Alberta Health Service Fungal Air Testing, Investigation and Reporting Requirements for Extensively Mould-Contaminated Building educational document.
  - b. Ensure all walls, windows, ceilings, floors, and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
  - c. Ensure every window or other device intended for ventilation are supplied with effective insect screens.
  - d. Ensure all bedroom windows comply with emergency egress requirements. Ensure the bedroom window provides an unobstructed openings with areas not less than 0.35 m<sup>2</sup> (3.8ft<sup>2</sup>), with no dimension less than 380 mm (15”).
  - e. Ensure smoke alarms are installed by the bedrooms and are operational and in good repair at all times.
  - f. Ensure all light fixtures are secured, operational and all protruding wires are capped off.
  - g. Install electrical outlet plate covers on all electrical switches and outlets. Ensure all outlets, switches and fixtures are properly installed and are be maintained in a good and safe working condition.
  - h. Ensure all treads, risers, supporting structural members, rails, guards and balconies, are maintained in good repair and comply with the requirements of the Alberta Building Code or a Professional Engineer design.
  - i. Ensure all plumbing fixtures are serviceable, free from leaks, trapped and vented to the outside.
  - j. Ensure the housing premises is provided with plumbing fixtures of an approved type consisting of at least a flush toilet, a wash basin, and a bathtub or shower.
  - k. Ensure all building materials that have been damaged or show evidence of rot or other deterioration are be repaired or replaced.

- I. Ensure all rooms containing a flush toilet and/or bathtub or shower are provided with natural or mechanical ventilation.
  - m. Ensure all exterior windows and doors are weatherproofed.
  - n. Ensure all 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.
  - o. Have the heating system inspected by a licensed qualified Heating and Ventilation technician. **A full inspection report outlining the inspection was done and all the required work was completed must be submitted to Alberta Health Services Environmental Public Health for review.**
  - p. Ensure the premises is supplied with running potable hot and cold water.
  - q. Ensure that the premise complies with all requirements of the Minimum Housing and Health Standards
  
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 Edmonton, Alberta, December 28, 2016.

\_\_\_\_\_(Original Signed)\_\_\_\_\_  
Alaa (Al) Farhat, 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](mailto: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](http://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](http://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](http://www.health.alberta.ca/about/health-legislation.html)