

**ORDER OF AN EXECUTIVE OFFICER
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

To: Teddy J Braun
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
**10621 128 Street NW
(Lot 10, Block 54, Plan 3875P)**

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:

Basement

- a. There was inadequate headroom clearance at the basement bedroom door entry. The head clearance height was measured to be 68 inches.
- b. The bedroom windows were sealed and could not be opened.
- c. The bedroom drywall surface was constructed of an unfinished material.
- d. The bedroom baseboards had lifted and detached.
- e. There were no guards installed on the stairs leading to the basement.

Main Floor

- f. The flooring transition strips were missing throughout the premises.
- g. There were multiple window screens missing throughout the premises.
- h. The kitchen floor tiles were cracked and/or in disrepair.
- i. The kitchen counter caulking had lifted and detached.
- j. The kitchen rear entrance door requires weatherproofing.
- k. There was no smoke alarm installed throughout the premises.
- l. The west bedroom window pane was cracked.
- m. The west bedroom window pane was in disrepair. The window pane would detach from the frame once opened.
- n. The front main entrance requires weatherproofing.
- o. The front main entrance porch guard spindles width was measured to be greater than 10 inches.
- p. There was evidence of pressure being exerted on the properties main gas line (main riser to the gas meter). Utilities had been disconnected to the premises.

- q. The premises foundation was in distress and in disrepair. The existing concrete foundation and exterior wood-frame support wall assembly were displaying degrading and distressed structural integrity.

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. Item (a) is in contravention of 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.
- b. Item (b) is in contravention of section III(3)(b) of the Minimum Housing and Health Standards which states that: 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.
- c. Items (c,d and f) are 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.
- d. Items (h and i) are in contravention of section III(5)(b) of the Minimum Housing and Health Standards which states that: Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
- e. Items (e and o) are 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, hand 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.
- f. Item (g) 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.
- g. Items (j, l, m and n) are 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 weather proofed.
- h. Item (k) 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.
- i. Items (p and q) are in contravention of section III of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises is

structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition.

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

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

1. That the occupants vacate the above noted premises on or before **IMMEDIATELY**.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure the premises structural foundation is inspected by a certified/qualified structural engineer, as directed by the City of Edmonton, Safety Codes Officer. Corrective measures outlined by the engineer must be implemented. **A copy of the report must be sent to Alberta Health Service Environmental Public Health**. The owner is required to ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition.
 - b. Ensure the premises gas and plumbing lines are inspected by a certified/licensed plumbing and gasfitter as directed by the City of Edmonton, Safety Codes Officer. **A copy of the report must be sent to Alberta Health Service Environmental Public Health**. The owner is required to ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition.
 - c. Install a smoke alarm on the main floor by the bedrooms and install a smoke alarm by the basement bedroom. Smoke alarms within dwellings must be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms are required to be installed within the hallway.
 - d. Modify the basement so the head clearance at the entrance to the basement bedroom is at least 72 inches or greater. If this is not possible the room is to be decommissioned as a sleeping area.
 - e. Ensure the basement bedroom window is able to open and remain in the open position. Ensure the bedroom window complies with emergency egress requirements.
 - f. Ensure all surfaces throughout the premises including the walls, floors and ceiling are repaired so they are in good repair, smooth, durable, impervious to moisture and easy to clean.
 - g. Install insect screens on all exterior windows. Ensure 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 are required to be supplied with effective screens.

- h. Install guards on the stairs leading to the basement and decrease the width of the spindles on the front porch to less than 4 inches. Ensure all inside or outside stairs or porches including all treads, risers, supporting structural members, hand rails, guards and balconies, are required to be maintained in good repair and are required to comply with the requirements of the Alberta Building Code or a Professional Engineer design.
- i. Repair and/or replace the west bedroom window pane. Ensure all building materials that have been damaged or show evidence of rot or other deterioration are required to be repaired or replaced.
- j. Ensure front and rear door are weather proofed. Ensure all windows and exterior doors are required to be; maintained in good repair, free of cracks and weather proofed.
- k. 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 vacant and secure from unauthorized entry.

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, April 5, 2017.

Confirmation of a verbal order issued to Teddy J Braun on March 15, 2017 (over the phone).

_____ (Original Signed) _____
Alaa (AI) Farhat, CPHI(C)
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, 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

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