

ORDER OF AN EXECUTIVE OFFICER

To: Baoan Pham
"the owner"

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

RE: The housing premises located in Edmonton, Alberta and municipally described as:
12022 – 102 Street NW, Edmonton AB

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. Extensive disrepair was observed on shingle, soffit, stucco and eavestrough of the premises.
- b. Water damage and mould growth was observed under the basement bedroom(south) window area, elevated moisture readings were observed in the affected wall base and carpet underlay. That indicates water infiltration from the foundation wall.
- c. Elevated moisture readings were observed in basement living room (north) SE corner, no mould growth was observed on the surface. That indicates water infiltration from the adjacent foundation wall.
- d. Water damage and mould growth was observed under the basement bedroom(south) window area, including the wall base and carpet underlay.
- e. Visible light was seen around the front door when the door was closed indicating a lack of weather stripping.
- f. Front storm door was off and lying on the ground during inspection.
- g. Broken window glass was observed in kitchen and back entrance door which was boarded up with plywood
- h. Single pane window was observed in living room and kitchen area.
- i. Back entrance door(s) could not be secured due to frame disrepair.
- j. NW bedroom window in mainfloor could not be fully open, it was painted –shut.
- k. NE bedroom window in mainfloor was not operational, the outpane was not openable.
- l. Basement bedroom window opening was measured 30 inches X 14 inches which was too small for egress function
- m. Spindles were missing on the back entrance north side guardrail which having 5 steps.
- n. Holes in several locations on ceilings and walls were observed, including the back foyer area and mainfloor hand sink cabinet.
- o. Baseboard missing was observed in basement bathroom.
- p. Paint peeling was observed in mainfloor bathroom ceiling and adjacent drywalls.
- q. Light fixture in living room was missing resulting in exposed conductors.
- r. Numerous electrical switch/outlet covers were missing throughout the premises.
- s. Smoke alarm in mainfloor was taken off, explained to put it back.

- t. Safety tube was missing on hotwater tank.

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. Violation [a.] is in the contravention of section III(2)(a) of the Minimum Housing and Health Standards which states that: The roof and exterior cladding of walls shall be maintained in a waterproof, windproof and weatherproof condition.
- b. Violation [b] [c] are in the contravention section III(1)(b) of the Minimum Housing and Health Standards which states that: basements, cellars or crawl spaces shall be structurally sound, and maintained in good repair and free from water infiltration and accumulation.
- c. Violation [d] 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. Violation [e] [f] 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 weatherproof.
- e. Violation [g] [h] 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 weatherproof; Violation [h] is also 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 barriers as may be approved by the Executive Officer.
- f. Violation [i] is in contravention of section III (3) (a) of the Minimum Housing and Health Standards which states that : exterior windows and doors shall be capable of being secured.
- g. Violation [j] [k] [l] are in contravention of section III(3)(b)(ii) of the Minimum Housing and Health Standards which states that: 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”).
- h. Violation [m] is in the 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.
- i. Violation [n.] [o] [p] are in the contravention of section III(5)(a) 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. Violation [q] [r] are in the 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.
- k. Violation [s] is in the 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. (a) smoke alarms shall be operational and in good repair at all times.

- I. Violation [s] is in the contravention of Housing Regulation section 5(2) which states: 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.

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

1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely;
 - a. Retain the services of an Environmental Consultant or Industrial/Occupational Health Hygienist, approved by Alberta Health Services prior to the commencement of renovation or repairs:
 - (i) As this premises was built prior to 1990, the presence of asbestos within building materials is likely thus all precautions must be taken. Ensure proper removal/handling of impacted materials following current codes and standards. The consultant must assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials.
 - (ii) 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.
 - (iii) Once the above is completed have the environmental consultant assess the conditions within the above noted premises for all water damaged materials and mould. A full pre mould remediation inspection report is required and at a minimum the report must describe the building construction, finishes, materials and components and recommendations for restoration.
 - (iv) All hazardous building materials are to be properly managed and disposed of in accordance with government standards and guidelines and industry codes of practice. Once the materials have been removed and a post mould remediation report is required which will include environmental air quality sampling and photographic evidence that all mouldy material has been. Testing and reporting shall follow the requirements outlined in Alberta Health Services' Fungal Air Testing Protocol.
 - b. Identify and remove the source of water causing water infiltration in basement.
 - c. Ensure all building materials that have been damaged or show evidence of rot or other deterioration are removed and replaced with material that are in good repair and easy to clean.
 - d. Repair or replace shingle, soffit, stucco and eavestrough, ensure the roof and exterior cladding of walls is maintained in a waterproof, windproof and weatherproof condition.

- e. Repair the cracked or broken window/door glass, ensure all windows and exterior doors is maintained in good repair, free of cracks and weatherproof and can be secured.
 - f. Install an additional window in the living room and kitchen area. Ensure that this housing premises as it is intended for use during the winter months, are protect against cold weather through the provision of a storm sash, double glazing.
 - g. Ensure that all bedroom windows can be easily opened to provide egress from the inside without the use of tools or special knowledge. Egress windows must provide an opening or 0.35 Square meters (547 inches) with no dimension less than 388 mm (15 inches).
 - h. Install spindles on the affected guards, ensure the space between spindles is less than 4 inches wide.
 - i. Repair or replace all the affected finishes. 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.
 - j. Ensure all light switches, electrical outlets, light are properly installed and maintained in a good and safe working condition.
 - k. Install a good working smoke alarm in mainfloor sleeping area.
 - l. Install a safety tube on the hotwater tank. Ensure no nuisance conditions exist in or about the premises.
2. The work referred to in paragraph 1 shall be completed by **April 30, 2017**. with the exception of sub-paragraph k which shall be started immediately. **In the event this premise becomes vacant it is to remain vacant until all the work in paragraph 1 has been complied with and an inspection is performed by an Environmental Health Officer with Alberta Health Services.**

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, March 29, 2017

_____ (Original Signed) _____

Dengzhong Wang, CPHI(C)
Executive Officer
Alberta Health Services

tel: (780) 735-1783 **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.

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