

**ORDER OF AN EXECUTIVE OFFICER
CLOSED FOR TENANT ACCOMODATIONS**

To: Geordie Nokes

Davies Property Management

RE: Municipally known as 12323 – 95 Street Basement Suite, 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. The bathroom lacks ventilation as there was a wall obstructing the window from opening.
- b. The paint was chipping on the wall above the toilet.
- c. There was an unfinished floor area around the toilet.
- d. The bottom surface on the shelf for the bathroom vanity was water damaged.
- e. There was water damage on one of the ceiling tiles outside the bathroom.
- f. There was water damage on the ceiling tiles in the east bedroom closet.
- g. The window in the storage room was single paned.
- h. The refrigeration unit located in the hallway was plugged into a closet that is equipped with a door.
- i. There was water damage on the bottom wall by the refrigeration unit.
- j. There were some areas of the kitchen sink that were rusted and the surface was no longer washable.
- k. All four metal trays for the stove were rusted.
- l. There were large gaps around the newly installed south window in the living room.
- m. Two widow locks were missing on the west window in the living room.
- n. The window screen for the west window in the living room was missing.
- o. The window lock for the west bedroom window was missing.
- p. The window screen for the west bedroom window was missing.
- q. The window screen in the east bedroom window was missing.
- r. There was evidence of water damage on the trim around the west bedroom window.
- s. The top of the suite door was cracked.
- t. Both window panes for the exterior window in the east bedroom were cracked and the bottom widow had a large piece of glass missing.

- u. The east bedroom window was too small for emergency egress. The window could not be opened to a minimum dimension of 15 inches.
- v. The edge of the kitchen counter did not have a washable surface.

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. The bathroom lacks ventilation as there was a wall obstructing the window from opening which 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.
- b. The paint was chipping on the wall above the toilet which 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.
- c. There was an unfinished floor area around the toilet which 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.
- d. The bottom surface on the shelf for the bathroom vanity was water damaged which 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.
- e. There was water damage on one of the ceiling tiles outside the bathroom which 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. There was water damage on the ceiling tiles in the east bedroom closet which 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.
- g. The window in the storage room was single paned which 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.
- h. The refrigeration unit located in the hallway was plugged into a closet that is equipped with a door which 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. There was water damage on the bottom wall by the refrigeration unit which 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.
- j. There were some areas of the kitchen sink that were rusted and the surface was no longer washable which 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.
- k. All four metal trays for the stove were rusted 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.
- l. There were large gaps around the newly installed south window in the living room which 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 weather proofed.
- m. Two widow locks were missing on the west window in the living room which 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.
- n. The window screen for the west window in the living room was missing which 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.
- o. The window lock for the west bedroom window was missing which 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.
- p. The window screen for the west bedroom window was missing which 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.
- q. The window screen in the east bedroom window was missing which 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.
- r. There was evidence of water damage on the trim around the west bedroom window which is in contravention of
- s. The top of the suite door was cracked which 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.

- t. Both window panes for the exterior window in the east bedroom were cracked and the bottom window had a large piece of glass missing which 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 weather proofed.
- u. The east bedroom window was too small for emergency egress. The window could not be opened to a minimum dimension of 15 inches which is in contravention of section III(3)(b)(i) 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”).
- v. The edge of the kitchen counter did not have a washable surface which is in contravention of section IV(14)(a)(iii) of the Minimum Housing and Health Standards which states that: Every housing premises shall be provided with a food preparation area, which includes: a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned.

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. Replace the east bedroom window so that it can be easily opened to provide egress from the inside without the use of tools or special knowledge. Egress windows must provide an opening of 0.35 Square meters with no dimension less than 388 mm.
 - b. Ensure all openable windows are fitted with effective insect screens which are in good repair.
 - c. Install an electrical outlet for the refrigeration unit outside the closet adjacent to the where the fridge is located. Ensure all light switches, electrical outlets, light fixtures and junction boxes are fitted with proper covers to prevent electrical hazards. All outlets, switches and fixtures must be properly installed and maintained in a good and safe working condition.
 - d. Repair or replace all the finishes in the bathroom so that they are in good repair, impervious to water and easy to clean. 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.

- e. Replace the suite door with a door which is in good repair, free of cracks, holes and in a condition that renders it easy to clean.
 - f. Repair/refinish the south window in the living room so it is properly weather proofed.
 - g. Repair or replace the cracked and broken window panes in the east bedroom. Ensure all windows and exterior doors are maintained in good repair, free of cracks and weatherproof.
 - h. Ensure there is a functional smoke alarm installed in the bedroom area at all times.
 - i. Repair the edge of the kitchen counter so it is smooth, non-absorbent and easy to clean. Ensure all surfaces in the kitchen area are in good repair, free of cracks, holes and in a condition that renders it easy to clean.
 - j. Remove and replace all water damaged materials. This includes the water damaged bathroom vanity shelf, the water damaged wall by the refrigeration unit, the damaged kitchen sink, the rusted trays for the stove, and the water damaged window trim around the west bedroom window. Ensure that all building materials that have been damaged or show evidence of rot or other deterioration is repaired or replaced.
 - k. Ensure all windows are equipped with window locks. Ensure all exterior windows and doors are capable of being secured.
 - l. Replace the window in the storage room with a double glazed window. Ensure that all windows are protected against cold weather through the provision of a storm sash or double glazing.
 - m. Ensure mechanical or natural ventilation is provided in the bathroom.
 - n. Ensure that the development of the basement or other undeveloped areas of the building for residential use and/or as a suite, is compliant with the Safety Standards for Secondary Suites as adopted by the municipality, and any applicable planning & development permits and ensure any existing structures comply with the City of Edmonton Planning and Development.
2. 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 as this suite is closed for tenant accommodation purposes.

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 January, 2017

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

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

Confirmation of an oral order property management company 23 January 2017.

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 within ten (10) days after receiving the order to the Public Health Appeal Board located at Reception, Main Floor. Telus Plaza, 10025 Jasper Avenue, Edmonton, Alberta, T5J 1S6, Telephone 780-427-2813 Fax 780-422-0914.

The terms of this Order remain in effect notwithstanding the filing or proposed filing of any such appeal. If you appeal, you may also make an application to the Board for a stay of this Order pending the appeal.

A copy of the Public Health Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or the Public Health Appeal Board 780-427-2813.

You are advised that all orders remain in effect pending such an appeal

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