

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

**To:** Anna Korishch  
"the Owner"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
4135 132A Avenue NW – Basement Suite, Edmonton, Alberta, T5A 2S9

**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. The carpet in the hallway between the two bedrooms was saturated with water and was oozing water when stepped on.
- b. There was evidence of significant water infiltration as evidenced by a high water line in the west bedroom closet.
- c. The baseboards were peeling away from the wall in the hallway between the two bedrooms.
- d. The window ledge in the west facing bedroom was warped and which appears to be the water infiltration.
- e. Both bedroom doors and doorframes showed evidence of water damage.
- f. The windows in both bedrooms measured to have an openable area of 0.14m with dimensions of 0.43m by 0.3m.
- g. The windows in both bedrooms had security bars installed that required a tool to open.
- h. The handrail for the stairs leading to the suite was no longer attached to the wall.
- i. The west facing bedroom ceiling tiles were warped and damaged.
- j. The smoke alarm was not operational at the time of inspection.
- k. The headroom at the base of the stairs was measured to be 68 inches.
- l. There was evidence of mold growth on the west facing closet door and the bedroom door.

**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 hallway carpet between the two bedrooms is saturated and was oozing water when stepped on. 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 significant water infiltration as evidence by the high water line in the west bedroom closet. This is in contravention of section 1 (b, d) 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.... Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation”.
- c. The baseboards were peeling away from the wall in the hallway between the two bedrooms.” 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 and
- d. The window ledge in the west facing bedroom was warped. 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.
- e. Both bedroom doors and doorframes show evidence of water damage. 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 windows in both bedrooms measured to have an openable area of 0.14m with dimensions of 0.43m by 0.3m. This is in contravention of section 3 (b) (ii) of the Minimum Housing and Health Standards which states that: “Windows referred to in section III (3)(b)(i) 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 windows in both bedrooms had security bars installed that required a tool to open. This is in contravention of section 3 (b)(iii) of the Minimum Housing and Health Standards which states that: “If the window referred in section III (3)(b)(i) is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.
- h. The handrail for the stairs leading to the suite was no longer attached to the wall. This is in 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. The west facing bedroom ceiling tiles are warped and damaged. This is in contravention of section 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” and 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”.

- j. The smoke alarm was not operational at time of inspection. This is in contravention of section 12(a) of the Minimum Housing and Health Standards which states that: “Smoke alarms shall be operational and in good repair at all times”.
- k. The headroom at the base of the stairs was measured to be 68 inches. This is in contravention of the Housing Regulation 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”.
- l. There was evidence of mold growth on the west facing closet door and the bedroom door. 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.

**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 5, 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. You must retain the services of an **Environmental Consultant or Industrial/Occupational Health Hygienist, that must be approved by Alberta Health Services and prior to the commencement of renovation or repairs:**
    - (i) As this home 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) Then the environmental consultant will assess the conditions within the above noted premises for all water damaged materials and mould including the assessment is to include the entire premises including the attic, wall and floor cavities, and crawlspaces. A full pre mould remediation inspection report is required. At a minimum the report must describe the building construction, finishes, materials and components and recommendations for restoration. 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 this 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.**
- a. Ensure all building materials that have been damaged or show evidence of rot or other deterioration are removed. This includes: doors, door frames, drywall, carpeting, subflooring, baseboards and ceiling tiles shall. Replace with materials that are in good repair and easy to clean.
  - b. 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”).
  - c. Remove the current security bars and replace with such that are easily removed without any special tools or knowledge.
  - d. Repair the handrail so that it is securely fastened to the wall. 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.
  - e. Install a working smoke alarm outside the sleeping area. Ensure the smoke alarm is operational and in good repair at all times.
  - f. Increase headroom to at least 6 feet (72 inches) at the base of the stairs.
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 29, 2016  
Confirmation of a verbal order issued to Anna Korishch on December 29, 2016

\_\_\_\_\_ (Original Signed) \_\_\_\_\_

Erica Keays 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).

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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)

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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)