

ORDER OF AN EXECUTIVE OFFICER

To: Donald M. Richards
"the Owner"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
10045 – 154 Street NW

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:

Suite 1:

- a. The cabinet finishing under the sink in the kitchen was peeling.
- b. The cabinet finishing under the sink in the bathroom was peeling.

Suite 2:

- c. The walls and ceiling in the East bedroom were water damaged and had visible mould growth on the surface.
- d. The window in the East bedroom was covered in plastic and was not adequately weather proofed.
- e. The electrical plate for the light switch was missing in the East bedroom.
- f. The door to the East bedroom was damaged with holes in it.
- g. The ventilation fan in the bathroom was not functional.
- h. Mould was growing on the bathroom ceiling.

Suite 3:

- i. The caulking around the bath tub was mouldy and in disrepair.
- j. The paint on the bathroom ceiling and walls was cracked, peeling, and could no longer be cleanable.
- k. The living room window pane was broken.
- l. The floor tiles were missing in the hallway outside the bathroom.
- m. The balcony guard height measured less than 42 inches.

Suite 4:

- n. The windows were not capable of being locked in both bedrooms.
- o. The window pane was broken in the master bedroom.
- p. The balcony floor material was lifting away.
- q. The balcony guard height measured less than 42 inches.
- r. The ventilation fan in the bathroom was not functional.
- s. There was a hole in the ceiling above the toilet.
- t. The cabinet finishing under the sink in the kitchen was peeling.
- u. The balcony insect screen was torn.

Suite 5:

- v. The smoke alarm was greater than 10 years old and function is decreased or prone to increased failure rates.
- w. The balcony guard height measured less than 42 inches.

Suite 6:

- x. The smoke alarm was not operational. It was greater than 10 years old and function is decreased or prone to increased failure rates.
- y. The counter around the kitchen taps was in disrepair.
- z. The bath tub surround was damaged and no longer provided a watertight joint.
- aa. The toilet was not secure and wobbly.
- bb. The ventilation fan in the bathroom was in disrepair and made a loud noise.
- cc. The bathroom sink and bath tub faucets were leaking.
- dd. A tree outside the bedroom window was growing into the insect screen and the insect screen was in disrepair.
- ee. The window trim on the window next to the patio was peeling and cracking.
- ff. The top window pane on the balcony door was broken.
- gg. The balcony guard height measured less than 42 inches.
- hh. The balcony guard was not secure to the side of the building.

Common area

- ii. The common area smelled musty and mouldy.

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. Violations [a], [b], [c], [f], [h], [i], [p], [t], and [ii] were in contravention of section 1(c) of the Minimum Housing and Health Standards that states: "Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced".
- b. Violation [d] was in contravention of section 2(b)(i) of the Minimum Housing and Health Standards: "All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof."
- c. Violation [e] was in contravention of section 11 of the Minimum Housing and Health Standards that states: "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".
- d. Violations [g], [r] and [bb] were in contravention of section 7(c) of the Minimum Housing and Health Standards that states: "All rooms containing a flush toilet and/or bathtub or shower shall be provided with natural or mechanical ventilation".
- e. Violations [j], [s], and [z] were in contravention of section 5(a) of the Minimum Housing and Health Standards that states: "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. (a) 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".
- f. Violations [k], [o], and [ff] were in contravention of section 2(b)(i) of the Minimum Housing and Health Standards: "All windows and exterior doors shall be; maintained in good repair, free of cracks and weatherproof."
- g. Violation [l] and [ee] were in contravention of section 5 of the Minimum Housing and Health Standards that states: "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".

- h. Violations [m], [q], [w], [gg] and [hh] were in contravention of section 3(c)(i) of the Minimum Housing and Health Standards that states: "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] was in contravention of section 3(a) of the Minimum Housing and Health Standards states that: "Exterior windows and doors shall be capable of being secured."
- j. Violations [u] and [dd] was in contravention of section 2(b)(iii) of the Minimum Housing and Health Standards that states: "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".
- k. Violations [v] and [x] were in contravention of section 12(a) of the Minimum Housing and Health Standards that states: "Smoke alarms shall be operational and in good repair at all times".
- l. Violation [y] was in contravention of section 14(a)(iii) of the Minimum Housing and Health Standards states that: "Every housing premises shall be provided with a food preparation area, which includes: (iii) a counter or table used for food preparation which shall be of sound construction and furnished with surfaces that are easily cleaned".
- m. Violations [aa] and [cc] are in contravention of section 6(c) of the Minimum Housing and Health Standards that that states: "All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside."

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. Refinish the inside of the kitchen cabinet in Suite 1 so that it is smooth and cleanable.
 - b. Refinish the inside of the bathroom cabinets in Suites 1 and 4 so that they are smooth and cleanable.
 - c. Investigate the source of moisture and mould growth in the East bedroom in Suite 2 and the source of the smell in the common area. You must retain the services of an **Environmental Consultant or Industrial/Occupational Health Hygienist, which 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.**

- d. Repair or replace the East bedroom window in Suite 2 so that it is adequately weather proofed.
 - e. Replace the electrical plate on the light switch in the East bedroom in Suite 2.
 - f. Repair or replace the East bedroom door in Suite 2 so that it is in good repair.
 - g. Repair or replace the bathroom ventilation fans in Suites 2, 4 and 6.
 - h. Remove the mould on the bathroom ceiling in Suite 2 and refinish as necessary so that it is smooth and cleanable.
 - i. Replace the caulking around the bath tub in Suite 3 so that it is in good repair and provides a watertight joint.
 - j. Refinish the walls and ceiling in the bathroom in Suite 3 so that they are smooth and cleanable.
 - k. Repair or replace the broken window panes in Suites 3, 4, and 6 so that they are in good repair.
 - l. Replace the hallway floor tiles in Suite 3 so that they are in good repair and easy to clean.
 - m. Replace or modify all balcony guards so that they measure a minimum height of 42 inches and are in compliance with the requirements of the Alberta Building Code.
 - n. Install locking mechanisms on the bedroom windows in Suite 4. Ensure all windows are capable of being secured.
 - o. Repair the balcony flooring in Suite 4 so that it is in good repair.
 - p. Repair the hole in the bathroom ceiling above the toilet in Suite 4.
 - q. Repair or replace the balcony insect screen in Suite 4.
 - r. Replace all smoke alarms that are not operational or are greater than 10 years old.
 - s. Repair the kitchen counter in Suite 6 so that it is smooth, cleanable and moisture resistant.
 - t. Repair the bath tub surround in Suite 6 so that it is in good repair and provides a watertight joint.
 - u. Repair the toilet so that it is secure to the floor and no longer wobbly.
 - v. Repair the bathroom sink and bath tub faucets so that they are in good repair and no longer leak.
 - w. Repair or replace the window screen in Suite 6 so that it is in good repair.
 - x. Refinish the window frame next to the balcony in Suite 6 so that it is easy to clean.
 - y. Ensure the Suite 6 balcony guard rail is secured to the building and properly installed.
2. The work referred to in paragraph 1 shall be completed by March 1, 2018.
 3. Do not rent any vacant suites until approval has been granted by Environmental Public Health.

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, January 24, 2018

_____(Original Signed)_____

Leah Danyluk, 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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RE: Those premises located in Edmonton, Alberta and municipally described as: 10045 – 154 Street NW

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