

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

To: Ken Raiche

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

RE: #101, 11637 124 Street

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 the prevention or suppression of disease, namely:

- a. The bedroom window had no pane(s); the opening was boarded up with a sheet of plywood.
- b. The flooring in the entrance way and the hallway was bare concrete with remnants of carpet and carpet adhesive.
- c. The ceilings in the bathroom, storage area and adjacent hallway were water damaged and water stained.
- d. There were drywall holes through out the suite; the bathroom had a large hole stuffed with plastic.
- e. The trim around the balcony door was missing, spray foam was exposed.
- f. Tiles were missing on the bathtub surround; the opening in the tub surround was covered in duct tape.
- g. The bathroom sink was slow to drain.
- h. There was a leak under the bathroom sink
- i. Electrical outlet covers were missing throughout the suite.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. Housing Regulation 173/99 s.4
The boarded up window in the bedroom does not allow for secondary emergency egress in case of a fire which is in contravention of section III(3)(b)(i) the Minimum Housing and Health Standards which states that: Windows referred to above shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15") and 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

- b. Housing Regulation 173/99 s.4
The lack of a ventilation source in the bedroom is a contravention of section III(4)(a,b) of the Minimum Housing and Health Standards which states that: All rooms used for sleeping shall be provided with: (a) openable window area of 0.28m² (3.0ft²); or (b) mechanical ventilation in conformance with the requirements of the Alberta Building Code.
- c. Housing Regulation 173/99 s.4
The concrete flooring, drywall holes, the water damaged bathroom and hall ceilings and the missing balcony door trim are contraventions 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. Housing Regulation 173/99 s.4
The missing tub surround tiles is a 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.
- e. Housing Regulation 173/99 s.4
The slow draining bathroom sink and the leak under the bathroom sink are both contraventions of section IV(6)(a) of the Minimum Housing and Health Standards which states that: The plumbing system and the sanitary drainage system or private sewage disposal system, as the case may be, including drains, fixtures, traps, vents, stacks, waste disposal facilities, pumpout sewage holding tanks, septic tanks and the disposal system shall be maintained in a proper operating condition.
- f. Housing Regulation 173/99 s.4
The missing electrical outlet covers within the suite is a 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.

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 May 9 2014
2. That the owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Install a bedroom window that meets egress standards of 3.8ft² openable area; this window will also serve the need for ventilation.
 - b. Install flooring that is easy to keep clean in the entrance and hallway.
 - c. Repair drywall holes and install trim around the balcony door.

- d. Repair the bathtub surround; ensure that the surround is water tight and in good repair.
 - e. Determine the source of water damage within the bathroom, storage room and hallway ceilings and provide in writing actions taken to correct the infiltration source.
 - f. Remove and replace water damaged ceiling materials within the bathroom, storage room and hallway.
 - g. Repair the bathroom sink drainage deficiency and also repair the leak beneath the sink.
 - h. Ensure that all electrical outlets have covers.
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 22, 2014

Confirmation of a verbal issued to Ken Raiche, on April 17 2014.

_____(Original Signed)_____
Sylvia Kuncewicz BSc, BEH (AD), 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 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.

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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