

UNFIT FOR HUMAN HABITATION

Michael James Chapor
Edmonton, Alberta

May 21, 2010

WHEREAS pursuant to the provisions of Sections 59, 60, and 62 of the Public Health Act being Chapter P-37 of the Statutes of Alberta, an Executive Officer of a Regional Health Authority may declare any place or part of it to be Unfit for Human Habitation if he has reasonable and probable grounds to believe that a nuisance exists in that place or that the place or the owner of it is in contravention of the Public Health Act or the Regulations.

AND WHEREAS the following conditions exist in the housing premises located at
Plan D, Block 2, Lots 1, 2 and 3

municipally known as: **10110 – 96 Street, Edmonton, Alberta**
that are or may become injurious or dangerous to health or that might hinder in any manner the prevention, or suppression of disease, or are in contravention of the Housing Regulation pursuant to Section 66 of the Public Health Act, to wit:

Structural / Damaged / Rotting Building Materials and Deficiencies

1. Extensive water damage and mould was observed throughout the 6 suites and common areas. Old water damage had been inadequately repaired using cardboard, drywall and wood in living rooms, bedrooms and bathrooms. The ceilings in the bathrooms and living rooms were observed to be caving in and damaged posing a health and safety hazard to the tenants.

Weatherproofing Deficiencies

2. Windows throughout the building and suites were in disrepair. Windows were observed with broken glass, missing glass, missing windows, and were unable to be maintained in an open position.

Safety and Security Deficiencies

3. All sleeping areas in basement suites had windows that could not be opened to provide egress in a fire or other emergency.
4. Bedroom doors – several suites were fitted with deadbolt locks indicating suites had been improperly converted to multi-suite units without acceptable and safe means of egress.
5. Outside front entrance stairs had an uneven rise and run.
6. There were bars on a bedroom window that could not be opened without the use of tools or special knowledge.
7. Doors were noted in some suites with door and door frames in disrepair, making them difficult to lock securely.

Finishes Deficiencies

8. Finishes throughout suites and common areas were in disrepair. Paint and plaster on ceilings and walls had water damage and was falling off.
9. Closets in living rooms of suites 4 and 6 had extensive water damage and mould around a plumbing stack.
10. The kitchen and bathroom flooring was in disrepair in several suites making them difficult to clean and providing harbourage to dirt, grease, vermin and bacteria.
11. Wood door frames and baseboards were in disrepair with missing casings and damaged doors.

Plumbing and Drainage System Deficiencies

12. The bathroom sink was not draining properly in suite 2.

Bathroom Facilities Deficiencies

13. Floor coverings in bathrooms were in disrepair. There was rotten drywall surrounding toilets and bathtubs.
14. Several suites throughout the premise did not have a means of natural or mechanical ventilation in the bathroom.

Heating Facilities Deficiencies

15. Space heaters were noted in several suites, indicating the heating system may not be providing adequate heat.

Electrical Service Deficiencies

16. The area around many electrical panels was open, exposing electrical conductors.
17. Outlets and switches did not have adequate covers.

Sanitation Problems

18. The carpet in the basement had not been properly cleaned from water damage. There was an odour of mould and moisture present in the basement and throughout the building.

Nuisance Conditions

19. Insect screens were not present on most openable windows.

Remediation

It is your responsibility to ensure that any asbestos containing materials, lead paint and mouldy areas are repaired without creating any hazards for your workers. Any necessary permits for repairs must be obtained from the City of Edmonton.

NOW THEREFORE, on **May 18, 2010** the undersigned Executive Officer of Alberta Health Services declared the above-noted premises as **Unfit for Human Habitation**, and ordered that the occupant or occupants vacate the premises on or before **June 15, 2010**.

NOW TAKE NOTICE that the said Executive Officer hereby orders that you, the owner,

do not permit occupancy of the above noted premises until authorized to do so by an Executive Officer of the said Authority.

AND FURTHER TAKE NOTICE that you are hereby ordered to either correct the aforementioned conditions to the satisfaction of the said Authority or to have the premises remain vacant.

Be Advised:

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies; you are advised that further repairs may be required to ensure full compliance of the Housing Regulation, or to prevent a Public Health Nuisance, prior to permitting reoccupancy.

Any building upgrades or modifications may be subject to municipality planning and development department reviews and the procuring of proper permits.

DATED at Edmonton, Alberta, May 21, 2010

_____(original signed)_____
Sandra Hamilton, CPHI(C)
Executive Officer
Environmental Health Officer

You are advised that should this Executive Officer's Order not be complied with, prosecution will be considered for breach of the Public Health Act and the Regulations.

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 24th Floor, Telus Plaza, 10025 - Jasper Avenue, Edmonton, Alberta, T5J 1S6. Telephone (780) 427-2813.

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, its Regulations and associated Standards 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 & Wellness at (780) 427-4518