

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

**To:** Dianne Pollock 125748 Alberta Ltd  
"the owner" "the owner"

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

**RE:** Those housing premises located in Edmonton, Alberta and municipally described as:  
10124 152 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:

- a. Extensive mould growth was noted on the basement wall (addition part).
- b. There were major cracks and heaving noted in the concrete foundation.
- c. There were numerous building materials throughout the premises which were damaged and/or will need to be removed which may contain asbestos.
  - There were damaged door trims and finishes throughout the home. Numerous areas of the home were under construction.
- d. A section of ceiling in the main floor living area was water damaged and stained suggesting previous or ongoing roofing concerns.
- e. A section of the ceiling in the bathroom was water damaged.
- f. There were numerous windows throughout the premises which were single-paned.
- g. The three rooms being used for sleeping did not have windows that provided an adequate opening for emergency egress.
- h. There was a hasp lock on the exterior door of the north east bedroom door.
- i. There was no guard on the stairs leading into the main floor or on the stairs leading to the basement.
- j. Openable windows throughout the premises were missing window screens.
- k. Walls, floors and ceiling in the downstairs washroom were in disrepair and not finished in a material that was smooth, non-absorbent and easy to clean
- l. There was no ventilation in the downstairs washroom.

**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. Items (a, d, and e) are 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. Item (b) is in contravention of section III(1)(a,b) of the Minimum Housing and Health Standards which states that: the housing premises shall be structurally sound, and; basements, cellars or crawl spaces shall be structurally sound, and maintained in good repair and free from water infiltration and accumulation.
- c. Items (c and h) is in contravention of section 5(2) of the Housing Regulation which states that: 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.
- d. Item (f) 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.
- e. Item (g) is in contravention of section III (3) (b) (I) of the Minimum Housing and Health Standards which states that: Windows referred to above 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”).
- f. Item (i) is in contravention of section III (3) (c) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, rails, 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.
- g. Item (j) 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.
- h. Item (k) is in contravention 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.
- i. Item (l) 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.

**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 15, 2019.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Retain the services of an Environmental Consultant or Industrial/Occupational Health Hygienist prior to the commencement of renovation or repairs.

- As this building was built prior to 1991, the presence of asbestos within building materials is likely thus all precautions must be taken. The consultant must assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials.
  - 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. Ensure proper removal/handling of impacted materials follow current codes and standards.
  - Have the environmental consultant assess the conditions within the above noted premises for all water damaged materials and mould. The assessment must include the wall, ceiling and floor cavities. 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 water damaged materials have been removed 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.
- b. Replace all damaged material with material that is in good repair and easy to clean.
  - c. Ensure all concerns identified by the Safety Codes Officer and the City of Edmonton are addressed. This includes hiring a structural engineer to assess the premises. A copy of the structural assessment must be provided to Environmental Public Health.
  - d. Ensure the source of the water infiltration that impacted the main floor living room and bathroom ceiling has been identified and corrected.
  - e. Replace or modify the windows in the premises so they are in good repair, double paned, free of cracks and weatherproof.
  - f. Modify or replace the windows in the bedrooms so they provide an unobstructed opening of 0.35m<sup>2</sup>. If this is not possible, cease use of the rooms as sleeping areas.
  - g. Remove the hasp lock on the north east bedroom door.
  - h. Install a guard on the stairs leading into the main floor and a guard on the stairs leading to the basement.
  - i. Install insect screens on all openable window.
  - j. Install mechanical ventilation in the basement bathroom or decommission the space
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 and secured 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, December 6, 2018.

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

Meaghen Allen, 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, ATB Place 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)