

**ORDER OF AN EXECUTIVE OFFICER
UNFIT FOR HUMAN HABITATION
ORDER TO VACATE**

To: Hamish J D Henderson
"the Owner"

And

Erin Lebourveau
"the Owner"

And

Economy Management 2012 - Amanda Baril
"the Owner"

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
**10125 144 Street NW
(Lot 19, Block F, Plan 4832AH)**

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. There was evidence of water infiltration along the base of the north basement wall.
- b. There was evidence of mould growth observed on the east basement.
- c. There were large cracks observed on the north and west basement walls.
- d. There were multiple cracks observed along the exterior foundation of the premises.
- e. There was no screen installed on the south bedroom window.
- f. The transition strip was missing in the hallway leading to the washroom.
- g. There was no guard installed on the stairs leading to the second floor.
- h. The handrail was missing on the stairs leading to the second floor.
- i. There were no guards installed on the stairs leading to the basement.
- j. There was no handrail on the stairs leading to the basement.
- k. There was evidence of rot on the rear exterior deck.
- l. The rear deck guard spindle width was measured and ranged between 10 to 15 inches.
- m. The front porch guard height was measured to be 33 inches.

- n. The front porch guard spindles width was measured and ranged between 5 to 6 inches.
- o. There was evidence of a mice infestation.

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, c and d) were in contravention with 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.
- b. Items (b and k) were in contravention with 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.
- c. Item (f) was in contravention with 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. Item (e) was in contravention with 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.
- e. Items (g, h, i, j, l, m and n) were in contravention with 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.
- f. Item (o) was in contravention with section V(16)(a) of the Minimum Housing and Health Standards which states that: The owner shall ensure that the housing premises are free of insect and rodent infestations.

AND WHEREAS, by virtue of the foregoing, the above noted premises are hereby declared to be **Unfit for Human Habitation**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

- 1. That the occupants vacate the above noted premises on or before July 4, 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. Repair the structural concerns as outlined by the City of Edmonton Safety Codes Officer Dennis Lee. **Ensure all required City of Edmonton permits have been obtained and that the property is assessed by a certified structural engineer.**

All reports and plans are required to be affixed with the engineer's signature and professional seal. Please submit the structural report to Alberta Health Services Environmental Public Health for review.

- b. Remove and replace all water damaged and rotting building material observed on the east basement wall and rear porch. Ensure all building materials that have been damaged or show evidence of rot or other deterioration are repaired or replaced.
- c. Install a transition strip leading from the main floor hallway to the bathroom. Ensure all walls, windows, ceilings, floors, and floor coverings are maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
- d. Install a window screen for the south bedroom window. Ensure every window or other device intended for ventilation are supplied with effective screens.
- e. Install or modify all handrail and guards on all exterior and interior stairs, which includes and is not limited to the; main floor stairs, basement stairs, front entrance stairs and rear deck. Ensure Inside or outside stairs or porches including 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.
- f. Hire a certified pest control operator to assess and treat as needed the pest infestation. Ensure an Integrated Pest Control Management Program is in place. A detailed report must outline the treatment carried out, what was treated, operators name and contact information. **Please submit the structural report to Alberta Health Services Environmental Public Health for review.** Ensure the housing premises are free of insect and rodent infestations.
- g. Should the premises undergo extensive renovations, repairs or demolition asbestos testing must be completed. As this home was built prior to 1970 you must retain the services of an **Environmental Consultant or Industrial/Occupational Health Hygienist, be approved by Alberta Health Services and prior to any renovations being completed you must have the Environmental Consultant** assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials and carrying out of environmental air quality analyses of the interior spaces (including if applicable the attic, wall and floor cavities, and crawlspaces) for water and mould damage. Ensure that any additional renovation work, including painting, reinstallation of drywall and laying of new flooring and/or sub floors does not occur until suitable air sample results are received and are to the satisfaction of Alberta Health Services. **Please refer to Alberta Health Service Fungal Air Testing, Investigation and Reporting Requirements for Extensively Mould-Contaminated Building educational document.**
- h. Ensure that the premise complies with all requirements that have been outlined in the Minimum Housing and Health Standards.

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, July 5, 2017.

Confirmation of a verbal order issued to Amanda Baril on June 12, 2017.

____(Original Signed)____
Alaa (Al) Farhat, 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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www.albertahealthservices.ca/eph.asp