

## **ORDER OF AN EXECUTIVE OFFICER CLOSED FOR TENANT ACCOMMODATION PURPOSES**

**To:**           **Chenghua Gui**           **Ashley Lessard**           **Anna Gao**  
                  **“the owner”**           **“the tenant”**           **“ landlord’s agent”**

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

**RE:**           Those housing premises located in Edmonton, Alberta and municipally described as: 10207 – 159 Street NW, Edmonton

**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 water damaged materials were observed on the ceilings in basement bathroom and 2 adjacent bedrooms.
- b. None of the old wood windows was operational, and they were either painted - shut, or nailed - shut from outside.
- c. Back door disrepair was observed, the glass was broken and it was replaced with a wood board.
- d. Basement bedroom window opening was measured 26 inches X 10 inches, which was too small for egress purposes.
- e. Back door interior trim was in disrepair.
- f. Extensive water damage and possible mould growth were observed on the basement bathroom ceiling and the ceilings in the adjacent 2 bedrooms.
- g. Water damage and mould growth on the mainfloor bathtub surrounding area was observed.
- h. The extensive water damage and possible mould growth on the ceilings in basement bathroom and 2 bedrooms, indicating constant water leaking from mainfloor bathtub area.
- i. Safety tube on hotwater tank was missing.
- j. No smoke alarm was installed in the basement where 2 bedrooms were located.
- k. Smoke alarm in the mainfloor was not operational during inspection.

**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. Extensive water damaged materials were observed on the ceilings in basement bathroom and 2 adjacent bedrooms which is in contravention of section 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. None of the old wood windows was operational, and they were either painted - shut, or nailed - shut from outside which is in contravention of section 2 ( b) ( i) of the Minimum Housing and Health Standards which states that: All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.
- c. Back door disrepair was observed, the glass was broken and it was replaced with a wood board which is in contravention of section 2 ( b) ( i) of the Minimum Housing and Health Standards which states that: All windows and exterior doors shall be maintained in good repair, free of cracks and weatherproof.
- d. Basement bedroom window opening was measured 26 inches X 10 inches, which was too small for egress purposes which is in contravention of section 3 (b) (ii) of the Minimum Housing and Health Standards which states that: Windows referred to in section 3 (b)(i) 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”).
- e. Back door interior trim was in disrepair which is in contravention of section 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
- f. Extensive water damage and possible mould growth were observed on the basement bathroom ceiling and the ceilings in the adjacent 2 bedrooms which is in contravention of section 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.(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.
- g. Water damage and mould growth on the mainfloor bathtub surrounding area was observed which is in contravention of section 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.(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.
- h. The extensive water damage and possible mould growth on the ceilings in basement bathroom and 2 bedrooms, indicating constant water leaking from mainfloor bathtub area which is in contravention of section 6 ( a, b, c) of the Minimum Housing and Health Standards which states that: (a) 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. (b) Adequate water volume and pressure shall be provided to ensure the proper operation and flushing of all fixtures. (c) All plumbing fixtures shall be serviceable, free from leaks, trapped and vented to the outside.
- i. Safety tube on hotwater tank was missing which is contravention of section 5 ( 2) of Housing Regulation which states that: No person shall cause or permit any conditions 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.
  - j. No smoke alarm was installed in the basement where 2 bedrooms were located which is in contravention of section 12 of the Minimum Housing and Health Standards which states that: Smoke alarms within dwellings shall be installed between each sleeping area and the remainder of the suite and, where hallways serve the sleeping areas; the smoke alarms shall be installed within the hallway. (a) Smoke alarm shall be operational and in good repair at all times.
  - k. Smoke alarm in the mainfloor was not operational during inspection which is in contravention of section 12 (a) of the Minimum Housing and Health Standards which states that: Smoke alarm shall be operational and in good repair at all times.

**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 occupant(s) vacate the above noted premises on or before November 27, 2015.
2. That the owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Ensure that the housing premises is structurally sound, in a safe condition, in good repair, and maintained in a waterproof, windproof and weatherproof condition.
  - b. Ensure that all building materials that have been damaged or show evidence of deterioration is repaired or replaced.
  - c. Ensure all bedroom windows are provided with an 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").
  - d. Ensure that all walls, windows, ceilings, floors, and floor coverings be maintained in good repair, free of cracks, holes, loose or lifting coverings and in a condition that renders it easy to clean.
  - e. Ensure that a functioning smoke alarm situated on the ceiling by the bedrooms.
  - f. Install a safety tube on hotwater tank.
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.

*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.*

*You are advised that should there be suite development, or major installation or replacement of heating, plumbing, gas, and/or mechanical equipment, this premises may be subject to permit requirements and/or relevant "secondary suites" requirements as administered by the municipality and its associated building departments and agencies.*

DATED at **Edmonton**, Alberta, **November 25, 2015**.

\_\_\_\_(Original Signed)\_\_\_\_\_  
Dengzhong Wang, CPHI(C)  
Executive 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 within ten (10) days after receiving the order to the Public Health Appeal Board located at 24<sup>th</sup> 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 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)*