

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

To: Essey Management Ltd
“the owner”

Andrea Butler, Essey Management Ltd
“the owner”

William K. Butler, Essey Management Ltd
“the owner”

Group Springwood Management Ltd
“the owner” (representative and property manager)

Karolina Freeman, Group Springwood Management Ltd
“the owner” (representative and property manager)

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

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
**10213-125 Street NW
Lot 8, Block 33, Plan RN22B**

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. A wall in the North East bedroom was holed, and the walls of the closet on the first staircase landing were cracked and in disrepair.
- b. A large hole was observed on the North West dining room ceiling.
- c. The flooring throughout the house was in disrepair; broken, missing and lifting floor tiles were observed:
 - Floor covering on the basement staircase landing/backdoor entrance was lifting.
 - Room between kitchen and dining room was missing baseboards and floor tiles.
 - Main bathroom floor tiles were cracked, broken and bulged.
 - Kitchen floor covering was missing under the dishwasher and was lifting under the heat register.
- d. The wall and ceiling tiles throughout the basement were water damaged.
- e. The North West dining room ceiling and the main bathroom wall showed evidence of water damage; water stain and bulged paint was observed.

- f. The main bathroom floor tiles were water-damaged; they were bulged. High moisture level was detected.
- g. There was extensive mould contamination on the basement walls and ceiling.
- h. The worn and cracked building material around the old furnace and piping was flaking and falling apart. Surface is potentially built with an asbestos-containing material.
- i. The closet doorknob on the first staircase landing was loose and does not operate properly.
- j. There were multiple cracks on several windows throughout the suite:
 - South West bedroom/Master bedroom
 - South East bedroom.
 - First staircase landing
 - Kitchen.
- k. Two windows in the South West living room could not be closed.
- l. The South East bedroom window has no locking mechanism.
- m. The patio door in the master bedroom has no locking mechanism.
- n. Egress on one of the North East bedroom window was impeded; side mechanism on the awning window limits the opening to 9 inches, yielding open-able area of less than 3.8 square feet
- o. Egress on one of the North West bedroom windows was impeded; vertical slider window opens up to a height of only 8 5/16 inches, yielding open-able area of less than 3.8 square feet. The other bedroom window was not open-able from the inside.
- p. The windows in habitable rooms had either a storm pane or inner pane missing:
 - North West bedroom.
 - Master/South West bedroom.
 - South East bedroom
 - Kitchen
 - Dining room (North West)
 - Living room (South West)
- q. Several windows and doors that were open-able /used for ventilation were missing and/or had damaged insect screens including:
 - North East bedroom.
 - North West bedroom.
 - Patio door on Master bedroom.
 - First staircase landing.
 - Closet on staircase landing.
 - Main bathroom.
 - Exterior back door (East)
 - Living Room (South West)
 - Exterior main entrance (West)
- r. The guard height on staircases and landing were too low throughout the house:
 - Guard height on master bedroom patio was measured at 32 inches.
 - Guardrail height on the staircase that led upstairs from the main floor was measured at 32inches.
 - Guardrail height on the second floor landing was measured at 32inches.
 - Guardrail height on the front exterior landing was measured at 30 inches.
- s. The handrail on the basement staircase was detached from the wall; it was loose.

- t. The steps on the basement flight of stairs were diagonal;
 - The bottom step was measured at a height of 4.5 inches on one end whilst the other end of the run was measured at 5 inches.
 - The second step from the bottom of the basement staircase was measured at 8.5 inches on one end whilst the other end of the step was measured at 9 inches.
- u. The smoke alarms in the bedrooms and hallway were found to be non-operational.
- v. There was evidence of mice infestation in the house; mice droppings were observed in the basement.
- w. The dryer was not properly venting to the outside of the building; exhaust pipe was not connected to the dryer. Lint was observed on the basement insulated walls and ceiling.

AND WHEREAS such inspection disclosed that the following breaches of the Public Health Act and the Housing Regulation, Alberta Regulation 173/99, Nuisance and General Sanitation Regulation Alberta Regulation 243/2003 and the Minimum Housing and Health Standards exist in and about the above noted premises, namely:

- a. Violations [a, b, and c], which are 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.
- b. Violation [d], The wall and ceiling tiles throughout the basement were water damaged, which is in contravention of section III(1)(b) and (c) of the Minimum Housing and Health Standards which states that: Basements, cellars or crawl spaces shall be structurally sound, maintained in good repair and free from water infiltration and accumulation; and Building materials that have been damaged or show evidence of rot or other deterioration shall be repaired or replaced.
- c. Violations [d, e and f], which 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.
- d. Violations [g, h, i and w], which are in contravention of Section 2(1) of the Nuisance and General Sanitation Regulation which states that: No person shall create, commit or maintain a nuisance. Nuisance means a condition that is or might become injurious or dangerous to the public or that might hinder in any manner the prevention or suppression of disease.
- e. Violations [j and k], which are in contravention of section III (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.
- f. Violations [l and m], which are in contravention of section III (3)(a) of the Minimum Housing and Health Standards which states that: Exterior windows and doors shall be capable of being secured.

- g. Violations [n and o], which are in contravention of section III 3(b)(i) and (ii) of the Minimum Housing and Health Standards which states that: For building 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 atleast one window which may be opened from the inside without the use of tools or special knowledge; and windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35m² (3.8ft²), with no dimensions less than 380mm (15”).
- h. Violation [p], which 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.
- i. Violations [q], which 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.
- j. Violations [r, s and t], which are in contravention of section III 3(c)(i) of the Minimum Housing and Health Standards which states that: Inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, 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.
- k. Violation [u], the smoke alarms in the bedroom and hallway appeared to be non-operational, which is in contravention of section IV 12(a) of the Minimum Housing and Health Standards which states that: Smoke alarms shall be operational and in good repair at all times.
- l. Violation [v], there was evidence of mice infestation in the house; mice droppings were observed in the basement, which is in contravention of section V 16(a) of the Minimum Housing and Health Standards which states: 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 **Closed for Tenant Accommodation Purposes**.

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

1. That the occupants vacate the above noted premises **immediately**.
2. As this building potentially contains hazardous materials and/or was built prior to 1990, you must retain the services of an **Environmental Consultant or Industrial/Occupational Health Hygienist, 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 applicable sampling for asbestos containing materials and carrying out of environmental air quality analyses of the interior spaces (including the attic, ceiling and wall and floor cavities) for water and mould damage.

Provide a detailed assessment report and scope of work plan including a hazardous materials audit and management plan, as prepared by the Environmental Consultant, for review by Alberta Health Services.

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.

The owner is responsible for ensuring that any work is conducted in safe manner.

3. That the owner undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. 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.
 - b. Ensure all basements, cellars or crawl spaces are structurally sound, maintained in good repair and free from water infiltration and accumulation.
 - c. Ensure that any, and all, building materials that have been damaged or show evidence of rot or other deterioration are repaired or replaced.
 - d. Ensure no person creates, commit or maintains a nuisance.
 - e. Ensure all windows and exterior doors are maintained in good repair, free of cracks and are weatherproof.
 - f. Ensure exterior windows and doors shall be capable of being secured.
 - g. Ensure each bedroom has at least one window which may be opened from the inside without the use of tools or special knowledge; and windows provide unobstructed openings with areas not less than 0.35m² (3.8ft²), with no dimensions less than 380mm (15").
 - h. Ensure windows in habitable rooms protect against cold weather through the provision of a storm sash, double-glazing, or other durable thermal/air resistant barrier.
 - i. Install insect screens in all windows that can be opened in the suite. Ensure 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 is supplied with effective screens.

- j. Ensure the inside or outside stairs or porches including all treads, risers, supporting structural members, handrails, guards and balconies, are maintained in good repair and comply with the requirements of the Alberta Building Code or a Professional Engineer design.
 - k. Ensure smoke alarms are operational and in good repair at all times.
 - l. Ensure the plumbing on the dryer is properly venting to the outside of the building.
 - m. Ensure that the housing premises are free of insect and rodent infestations.
 - Conduct a thorough inspection of the unit and surroundings and treat all affected areas
 - Utilize IPM (Integrated Pest Management) techniques to control the infestation
 - Provide this office with detailed documentation of the pest control activities completed and/or pest control reports, and written documentation that confirms the infestation has been cleared.
 - n. Take any further steps in the interests of preserving and maintaining the health of any person who may, in the future, occupy the above noted premises as may be required by the Executive Officer.
4. 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.

DATED at Edmonton, Alberta, September 12, 2016.

Confirmation of a verbal order issued to Group Springwood Management Ltd (Cindy Casemore), on September 8, 2016.

____(Original Signed)____
Nicola Magigi, 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, Telus Plaza North Tower
10025 Jasper Avenue NW
Edmonton, Alberta, T5J 1S6
Phone: 780-427-2813
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