

ORDER OF AN EXECUTIVE OFFICER

To: Mohammed Rafiq
"the Owner"

RE: Those housing premises located in Edmonton, Alberta and municipally described as:
10341 158 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. The SE back main floor bedroom did not meet egress requirements as the window opens into an enclosed porch.
- b. Handrail along the stairs to the basement was too low (30 inches).
- c. A number of finishes throughout the home were damaged, including:
 - (i) The walls throughout the basement bedrooms.
 - (ii) The walls within the stairwell to the basement.
 - (iii) The tiles at the stop step leading to the basement (the tiles were missing at the time of inspection).
 - (iv) There was a gap in the flooring/missing transition strip at the entrance of the north basement bedroom.
- d. The cover for the mechanical ventilation fan in the main floor washroom was missing.
- e. There were no operational smoke alarms installed in the premises.
- f. Several openable windows throughout the premises were not supplied with insect screens.

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. Item [f] was 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.
- b. Item [a] was in contravention of section III(3)(b)(i-iii) of the Minimum Housing and Health Standards which states that: (i) For buildings 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 at least one outside window which may be opened from the inside without the use of tools or special knowledge. (ii) Windows referred to in section 3(b)(i) shall provide unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15"). (iii) If the window referred in section 3(b)(i) is provided with security bars, the security bars shall be installed so they may be opened from the inside without the use of any tools or special knowledge.

- c. Item [b] was 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.
- d. Item [c] was 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. (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. (b) Rooms and sections of rooms that are used for food preparation and cooking shall have walls and floors constructed of materials which do not provide harbourage to dirt, grease, vermin and bacteria and that are easily kept clean.
- e. Item [d] was 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.
- f. Item [e] was in contravention of section IV(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 alarms shall be operational and in good repair at all times.

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

- 1. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. Ensure that the SE bedroom has a window that open directly to the outside with unobstructed openings with areas not less than 0.35 m² (3.8ft²), with no dimension less than 380 mm (15"), or disallow its use for sleeping purposes.
 - b. Ensure that the handrail along the stairs to the basement comply with the current Alberta Building Code, and are between 865 mm to 1070 mm (34 inches to 42 inches) measured from the nosing.
 - c. Repair or replace the various finishes that are in disrepair throughout the premises. Ensure that 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 cover on the mechanical ventilation fan in the main floor washroom.
 - e. Ensure all openable windows are supplied with effective screens during the portion of the year when there is a need for protection against flies and other flying insects.
 - f. Ensure that smoke alarms are installed between each sleeping area and the remainder of the dwelling. Smoke alarms must be operational and in good repair at all times.
- 2. The work referred to in paragraph 1 shall be completed by the following dates:
 - a. Item [f] is to be completed **on or before July 7, 2023**.
 - b. Items [a through e] are to be completed **on or before August 2, 2023**.

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 2, 2023

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, 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
Website: <https://www.alberta.ca/public-health-appeal-board.aspx>

A Notice of Appeal form may be obtained by contacting the Public Health Appeal Board or visiting their website.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Health Legislation and regulations are available for purchase. Please contact Alberta King's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or <https://www.alberta.ca/alberta-kings-printer.aspx>.

Copies of standards are available by visiting: <https://www.alberta.ca/health-standards-and-guidelines.aspx>

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<https://www.ahs.ca/eph>