

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

To: **Queensgate Manor Inc.**
“the Owner”

And.

Harjinder Jhutti
“the Owner”

And.

John Woods
“the Owner”

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

RE: Those housing premises located in **Edmonton**, Alberta and municipally described as:
10610 87 Street NW, Suite 404
(Lot, Block 25, Plan 9023110)

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 building’s roof was in disrepair. Evidence of water infiltration was noted into suite 404.
- b. There was evidence of water damage/staining and mould noted on the kitchen, living room, and hallway ceiling.
- c. The kitchen ceiling had collapsed due to water infiltration. The opening was measured to be approximately (2 feet by 2 feet).
- d. There was evidence of water damage/staining on the hallway drywall. Surface paint had started to lift and detach.
- e. There was evidence of water staining/water damage on the carpeting located in the living room and hallway.
- f. There was evidence of water infiltration coming through the kitchen, living room and hallway ceiling light fixtures. Light fixtures were not operational.

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. The building's roof was in disrepair. Evidence of water infiltration was noted into suite 404. This is in contravention of section III of the Minimum Housing and Health Standards which states that: The owner shall 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. There was evidence of water damage/staining and mould noted on the kitchen, living room, and hallway ceiling. This is 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.
- c. The kitchen ceiling had collapsed due to water infiltration. The opening was measured to be approximately (2 feet by 2 feet). This is 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. There was evidence of water damage/staining on the hallway drywall. Surface paint had started to lift and detach. This is 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.
- e. There was evidence of water staining/water damage on the carpeting located in the living room and hallway. This is 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.
- f. There was evidence of water infiltration coming through the kitchen, living room and hallway ceiling light fixtures. Light fixtures were not operational. Light fixtures were not operational at the time of the site inspection. This is 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.

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 July 5, 2016.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
 - a. You must retain the services of an **Environmental Consultant or Industrial/Occupational Health Hygienist, that must be approved by Alberta Health Services and prior to the commencement of renovation or repairs:**

- (i) As this home was built prior to 1990, the presence of asbestos within building materials is likely thus all precautions must be taken. Ensure proper removal/handling of impacted materials following current codes and standards. The consultant *must* assess the conditions within the above noted premises including performing applicable sampling for asbestos containing materials.
 - (ii) 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**
 - (iii) Then the environmental consultant will assess the conditions within the above noted premises for all water damaged materials and mould including the assessment is to include the entire premises including the attic, wall and floor cavities, and crawlspaces. 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 materials have been removed and 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. Ensure the building roof has been repaired by a licensed roofer. Ensure a written inspection report is submitted to Alberta Health Services, Environmental Public Health.
 - c. Ensure all electrical outlets, switches and fixtures are properly installed and are maintained in a good and safe working condition.
 - d. Ensure all water damaged walls and ceilings are removed and replaced. All surfaces must be maintained in good repair at all times.
 - e. Ensure all water damaged carpeting and flooring are removed and replaced. All flooring must be maintained in good repair at all times.
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.

DATED at Edmonton, Alberta, July 11, 2016

Confirmation of a verbal order issued to John Woods on July 5, 2016.

(original Signed)
Alaa (Al) Farhat, 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